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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA



DOCUMENTS DEPT

JAN - 2 2004

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PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 6, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 PM

Wednesday

9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 28

Recommendations of the Budget Committee

Present: Supervisors Maxwell, Peskin

1. 031873 [Memorandum of Understanding - Police]
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Police) to be effective July 1, 2003 through June 30, 2005.

12/16/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 031874 [Memorandum of Understanding - Fire]
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Fire) to be effective July 1, 2003 through June 30, 2005.

12/16/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 031965 [MOU - H-1 Fire Rescue Paramedics]
Mayor
Ordinance adopting and implementing the 2003-2005 Memorandum of Understanding between the H-1 Fire Rescue Paramedics, Service Employees International Union, Local 790 and the City and County of San Francisco, to be effective July 1, 2003 through June 30, 2005.

12/16/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

4. 030917 [City Composting]
Supervisors Sandoval, Dufty, Ma
Resolution urging all City facilities that have food service operations or generate significant compostable discards and all contracted food service vendors operating on City premises to participate in composting and recycling collection programs and to use food service materials that either are recyclable or compostable; and to purchase compost and/or mulch that is made from San Francisco's composting or mulching programs.
- Question: Shall this Resolution be ADOPTED?
5. 031843 [HIV risk behavior surveillance among men who have sex with men]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of \$172,882 from the Centers for Disease Control and Prevention (CDC) for HIV risk behavior surveillance among men who have sex with men and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004.
(Public Health Department)
(Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
6. 031844 [Contract funds for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$100,929 for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men; for the period of October 1, 2003 to September 30, 2004.
(Public Health Department)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

7. 031848 [Accept-Expend Federal Grant]
Supervisor Dufty
Resolution authorizing the Sheriff's Department: to accept and expend a three-year grant in the amount of \$1,229,622 from the U.S Department of Education for providing a life skills program to women offenders.
(Sheriff)
(Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
8. 031852 [Accept-Expend Federal/State Grant - Victim/ Witness Assistance Program]
Supervisor Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$562,287 through the California Office of Criminal Justice Planning for the operation of a program entitled "Victim/Witness Assistance Program."
(District Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
9. 031853 [Accept-Expend Federal Grant - Threat Management/Stalking Vertical Prosecution Program]
Supervisor Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$140,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Threat Management/Stalking Vertical Prosecution Program."
(District Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
10. 031854 [Accept-Expend Grant - Violence Against Women Vertical Prosecution Program]
Supervisor Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$108,812 through the California Office of Criminal Justice Planning for the operation of a program entitled "Violence Against Women Vertical Prosecution Program."
(District Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

11. 031856 [Demonstrate the use of rapid HIV testing to improve outcomes in partner counseling and referral services]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFPDH), to accept retroactively and expend a grant in the amount of \$393,478 from the Centers for Disease Control and Prevention (CDC) to use rapid HIV testing to improve outcomes in partner counseling and referral services and to enter into an agreement for the use of these funds; for the period of September 15, 2003 to September 14, 2005.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

12. 031857 [Supplemental funds to assess HIV risk behaviors and trends, evaluate impact of prevention efforts]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively one-time supplemental grant funds in the total amount of \$211,279 from the Centers for Disease Control and Prevention (CDC) under the CDC HIV/AIDS Surveillance and Seroprevalence Cooperative Agreements U62/CCU906255-12-2 and U62/CCU906255-12-4 to support HIV/AIDS surveillance activities and assess risks and benefits associated with testing results and to enter into agreements for the use of these funds; for the period of June 1, 2003 to December 31, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

13. 031900 [Accept-Expend Federal/State Pass Through Grant]
Supervisor Dufty
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$10,034 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
(Public Library)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

14. 031915 [Accept-Expend State Grant]
Supervisor Dufty
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$5,000 from the California State Library for the purpose of enriching the learning experience of the students in Project Read's Adult Literacy Program with periodic book discussions.
(Public Library)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Daly

15. 031835 [Liquor License, 533 Sutter Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Matthew R. Shelton, for Shelton Theater located at 533 Sutter Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

16. 031858 [Liquor License Transfer, 236 8th Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1162 Folsom Street to 236 8th Street to Celeste Tonogbanua for The Gifted Basket will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

17. 031947 [Expand supportive housing services to the homeless in San Francisco]
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Housing and Urban Health (SFDPH) to accept retroactively and expend a grant in the amount of \$745,125 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to expand supportive housing services to the homeless in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004.
(Public Health Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

18. 031950 [Accept-Expend State Grant]
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety (OTS) for a project entitled "You Drink & Drive, You Lose" national campaign.
(Police Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

19. 031951 [Accept-Expend Federal Grant]**Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives for a project entitled Gang Resistance Education And Training (G.R.E.A.T.)
(Police Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

20. 031526 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission.

(Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

21. 031832 [Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As a Landmark Under Planning Code Article 10]**Supervisors Daly, Peskin, Gonzalez**

Ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As Landmark No. 238 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

(Planning Department)

(No Public Benefit Recipient.)

12/16/2003, PASSED ON FIRST READING. Supervisors Peskin and Gonzalez requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

22. 031898 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board of Directors to accept and expend \$4,918,393 of Federal Earmarked Capital Assistance for design and construction of Muni's Islais Creek Facility and security-related activities.

(Municipal Transportation Agency)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

23. 031899 [Accept-Expend Federal Grant]
Resolution authorizing the Municipal Transportation Agency to accept retroactively and expend a grant in the amount of \$123,600 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plans for Fiscal Year 2002 and Fiscal Year 2004.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty

24. 031503 [New administrative debarment procedure]
Supervisors Peskin, McGoldrick, Gonzalez
Ordinance adding a new Chapter 28 to the San Francisco Administrative Code to establish a City-wide administrative debarment procedure; amending Chapter 6 of the Administrative Code to reflect the adoption of the new Chapter 28.

12/16/2003, PASSED ON FIRST READING. Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
25. 031855 [Settlement of Lawsuit - Poppie Kouremetis]
Ordinance authorizing the settlement of lawsuit filed by Poppie Kouremetis against the City and County of San Francisco for \$95,000; the lawsuit was filed on May 13, 2002, in San Francisco Superior Court and was removed to United States District Court, Case No. C02-02980 MEJ, entitled Kouremetis v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

12/16/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
26. 031912 [Settlement of Lawsuit - Leo Rivkin]
Ordinance authorizing settlement of the lawsuit filed by Leo Rivkin against the City and County of San Francisco for \$110,000; the lawsuit was filed on February 22, 2001 in San Francisco Superior Court, Case No. 319-085; entitled Leo Rivkin, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

12/16/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

27. 031913 **[Settlement of Lawsuit - Janet Prieto]**
Ordinance authorizing settlement of the lawsuit filed by Janet Prieto against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 2, 2002 in the San Francisco Superior Court, Case No. 403048; entitled Janet V. Prieto v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

12/16/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

28. 031946 **[Settlement of Lawsuit - Billy Clark]**
Ordinance authorizing settlement of the lawsuit filed by Billy Clark against the City and County of San Francisco for \$50,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-372; entitled Billy Clark v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

12/16/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

29. 031973 [Findings for disapproval of the categorical exemption issued for 937-939 Jackson Street]
Motion setting forth findings to disapprove the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion.
(Clerk of the Board)
(Companion measure to Files 031905, 031906, 031907, 031908.)

12/24/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

30. 031701 [Distribution of literature by a residential tenant in a building to other tenants in the building, regarding matters of common interest or concern to the tenancies]
Supervisors Peskin, Daly, McGoldrick, Gonzalez
Ordinance adding Administrative Code Chapter 49A "Residential Tenant Communications" regarding a residential tenant's permissible use of common areas to distribute literature to other tenants in the building, including literature distributed on behalf of a tenants' association or other tenants' organization, where the literature relates to issues of common interest or concern to the building's tenancies; distribution may include placement of literature on or in front of tenant doors, with the distributor's name/address/telephone number plainly included for any tenant to opt out of future doorway distributions; and, the landlord may establish other reasonable requirements as to the time, place, manner, and volume, of such literature distribution.

12/16/2003, PASSED ON FIRST READING. Supervisors Daly, McGoldrick and Gonzalez requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
31. 031916 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH
3rd Street, northbound, at Townsend Street. (Parking and Traffic Department)

11/18/2003, CONTINUED. Continued to January 6, 2004
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Daly

32. 031242 [Participation in the Supportive Transitional Emancipation Program for foster youth]
Supervisors Daly, Dufty
Ordinance adding Article III to Chapter 20 of the San Francisco Administrative Code to establish participation in the Supportive Transitional Emancipation Program (STEP), in which eligible foster youth may receive financial support while participating in an educational or training program, or any activity consistent with their transitional independent living plan up to 21 years of age pursuant to section 11403.1 of the Welfare and Institutions Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

33. 031506 [Appropriate funding for the sale of school bond proceeds for capital improvement projects on various school facilities]
Mayor
Ordinance appropriating \$29,480,000 of school bond proceeds for capital improvement projects on various school facilities, cost of issuance, and other related costs for the San Francisco Unified School District for fiscal year 2003-04.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Sandoval, McGoldrick

34. 031814 [Purchase of real property located at 438 Page Street, Assessor's Block 841, Lot 29]
Supervisor Gonzalez
Resolution approving and authorizing the purchase of certain real property; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick

35. 031886 [Extending the Cooperative Agreement between TIDA and the U.S. Navy through which TIDA provides caretaker services at former Naval Station Treasure Island]
Mayor
Resolution, retroactive to October 1, 2003, approving and authorizing the Treasure Island Development Authority to enter into the 16th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2004.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

36. 031193 [Historic District Street Signs]
Supervisor Peskin
Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on certain street signs located within a historic district.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
37. 031792 [Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]
Supervisors Peskin, Daly
Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible base rent increases based upon a landlord's Operating and Maintenance petitions pending or filed on or after October 28, 2003 for a property with six or more residential units, so that the same landlord may not impose more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 031957 [Mission Bay Owens Street at Park P1 Improvements]
Ordinance designating a portion of State Trust Parcel 2 adjacent to Park P1 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way (Channel); designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance responsibilities and liability purposes, subject to specified limitations; accepting an agreement relating to temporary City access, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,529 and authorizing official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
39. 031958 [Mission Bay Third Street/16th Street Utility Project]
Ordinance recommending the recordation of the conditional irrevocable offer of portions of property adjacent to Third Street; accepting portions of the irrevocable offer for the joint trench acquisition facilities and rejecting the offer of the Pacific Gas & Electric facilities; dedicating said accepted acquisition facilities for right-of-way purposes; designating said accepted acquisition facilities for public use and designating said accepted acquisition facilities for maintenance purposes; accepting the Easement Agreement for public utility purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,530; and authorizing official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
40. 031623 [African American Cultural and Entertainment Center]
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall, Dufty
Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.
- 9/30/2003, REFERRED to Finance and Audits Committee.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

41. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

42. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 56

43. 031944 [Traffic Regulation - Maiden Lane]
Supervisor Peskin
Resolution Enacting "Street Closed To Vehicular Traffic" Regulation on Maiden Lane, Between Stockton and Kearny Streets, From 11 A.M. to 6 P.M., Every Day Including Holidays.
- 11/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/9/2003, CONTINUED. Supervisor Peskin requested that this matter be severed so that it could be considered separately.
Continued to January 6, 2004.
Question: Shall this Resolution be ADOPTED?
44. 032009 [Implementation of AB 117]
Supervisor Gonzalez
Resolution supporting AB 117 which concerns community aggregation of power by local agencies.
- 12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 032034 [Gift in Place to Recreation and Park Department, \$288,355]
Supervisors Hall, Maxwell
Resolution accepting and expending a gift in place valued at \$288,355 from the friends of Recreation and Parks to the Recreation and Park Department for Lake Merced.
(No Public Benefit Recipient.)
- 12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

46. 032035 [Biosciences Task Force]
Supervisor Maxwell
Resolution adding one additional member to the existing San Francisco Biosciences Task Force formed by Board Resolution No. 217-03.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
47. 032036 [Acknowledgement of Congresswoman Pelosi's Support of Central Subway]
Supervisors Peskin, Dufty, Maxwell, Ma, Daly, Ammiano
Resolution acknowledging and commending House Democratic Leader Nancy Pelosi for her role in securing federal funding essential to the Central Subway, Phase II of the Third Street Light Rail project, and other transportation infrastructure projects that will benefit San Francisco and the region.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
48. 032037 [Commending John Arntz and the Department of Elections]
Supervisors Peskin, Ma, Dufty, Hall
Resolution commending John Arntz and the Department of Elections for their exemplary professionalism in conducting three elections in three months.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
49. 032038 [Accept and Expend Gift - Levi Strauss Foundation]
Supervisor Hall
Resolution retroactively accepting and expending a gift in the amount of \$12,500 from the Levi Strauss Foundation.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
50. 032039 [Accept-Expend Grant - Public Defender, \$15,000]
Supervisor Sandoval
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$15,000 from the VanLobenSels/RembeRock Foundation for a social worker position dedicated to working with female juvenile offenders.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

51. 032040 [Accept-Expend Grant - Public Defender, \$40,000]
Supervisor Sandoval
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$40,000 from the San Francisco Foundation for a social worker position dedicated to working with female juvenile offenders.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
52. 032041 [Importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of San Francisco]
Supervisor Sandoval
Resolution urging the City's Health Service System to explore the feasibility and cost effectiveness of the importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of the City and County of San Francisco.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 032042 [Extending the meetings of the Homeless Senior Task Force]
Supervisor Daly
Resolution amending Resolution No. 682-02 to extend the meetings of the Homeless Senior Task Force for an additional six months.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 032043 [Declaration of Election Results]
Resolution declaring the results of the December 9, 2003 Municipal Run-off Election.
(Clerk of the Board)

12/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 032032 [Requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program]
Supervisor Maxwell
Motion requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

56. 032022 [Needle Exchange Emergency]

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

12/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

57. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION**PROPOSED ORDINANCES**

Proposed ordinances received from December 9, 2003 through December 29, 2003, for reference by President to appropriate committee on January 6, 2004.

032012 [Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023]

Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance.

(Real Estate Department)

(Public Benefit Recipient.)

12/9/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 9, 2003 through December 29, 2003, for reference by President to appropriate committee on January 6, 2004.

031974 [Establishing Monthly Contribution Amount]

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Human Resources Department)

(No Public Benefit Recipient.)

12/26/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031975 [Year 4 Renewal of SFPUC Program Management Services Contract]

Resolution retroactively approving the Public Utilities Commission's approval of the fourth year renewal of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) to provide program management services for the SFPUC Capital Improvement Program, for an amount not to exceed \$11 million; and approving the Contract Year 3 performance fee for an amount not to exceed \$497,000.

(Public Utilities Commission)

(No Public Benefit Recipient.)

12/29/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032007 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURNS - ESTABLISH

Octavia Frontage Road, northbound, at Haight Street;
Octavia Frontage Road, northbound, at Fell Street; and
Octavia Frontage Road, southbound, at Oak Street.

NO LEFT TURNS - ESTABLISH

Octavia Boulevard, southbound, at Market Street;
Freeway off-ramp, (Octavia Boulevard) northbound, at Market Street;
Octavia Boulevard, northbound and southbound, at Haight Street;
Octavia Boulevard, northbound and southbound, at Page Street;
Octavia Boulevard, northbound and southbound, at Oak Street;
Octavia Frontage Road, southbound, at Haight Street;
Octavia Frontage Road, northbound and southbound, at Page Street;
Octavia Frontage Road, northbound and southbound, at Oak Street; and
Octavia Frontage Road, northbound and southbound, at Fell Street.

MULTIPLE LEFT TURN LANES - ESTABLISH

Octavia Boulevard, northbound, at Fell Street.

MULTIPLE RIGHT TURN LANES - ESTABLISH

Oak Street, eastbound, at Octavia Boulevard.

RIGHT TURN ONLY - ESTABLISH

Octavia Frontage Road, southbound, at Market Street;
Waller Street, eastbound, at Market Street; and
Octavia Frontage Road, southbound, at Fell Street.

NO TURN ON RED - ESTABLISH

Haight Street, eastbound and westbound, at Octavia Boulevard;
Page Street, eastbound and westbound, at Octavia Boulevard;
Market Street, Octavia Boulevard, Freeway Intersection, all approaches; and
Oak Street, eastbound, at Octavia Boulevard.

ONE-WAY STREET - ESTABLISH

East Octavia Frontage Road, northbound, between Hayes and Market Streets;
West Octavia Frontage Road, southbound, between Hayes and Market Streets;
Lily Street, westbound, between Laguna Street and Octavia Boulevard (reverses direction);
Rose Street, eastbound, between Gough Street and Octavia Boulevard (reverses direction);
Elgin Park, southbound, between Duboce Avenue and McCoppin Street; and
McCoppin Street, eastbound, between Elgin Park and Market Street.

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH

Eastbound Oak Street at Laguna Street.

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

12/9/2003, RECEIVED AND ASSIGNED to Land Use Committee.

032008 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Octavia Boulevard, both sides, between Hayes and Market Streets;
Fell Street, north side, between Frontage Road and Octavia Boulevard;
Octavia Frontage Road, east side, from Market Street to 140 feet northerly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Rose Street, north side, from Octavia Frontage Road to 30 feet easterly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Octavia Frontage Road, east side, from Page Street to 40 feet northerly;
Octavia Frontage Road, east side, from Oak Street to 40 feet northerly;
Octavia Frontage Road, west side, from Fell Street to 24 feet southerly;
Octavia Frontage Road, west side, from Oak Street to 40 feet southerly;
Lily Street, south side, from Octavia Frontage Road to 26 feet westerly;
Octavia Frontage Road, west side, from Haight Street to 60 feet southerly;
Oak Street, both sides, from Gough Street to 22 feet easterly; and
Oak Street, both sides, from 98 feet west of Franklin Street to 149 feet westerly.

BLUE ZONE - REVOKE

Oak Street, south side, from Gough Street to 28 feet easterly.

BLUE ZONE - ESTABLISH

Gough Street, west side, from Oak Street to 26 feet southerly.

TOW-AWAY, NO STOPPING, 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Oak Street, south side, from Octavia Boulevard to 150 feet westerly.

TOW-AWAY, NO STOPPING, 7:00 AM - 9:00 AM, MONDAY THROUGH FRIDAY - REVOKE

Oak Street, north side, from Octavia Street to Laguna Street.

(Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

12/9/2003, RECEIVED AND ASSIGNED to Land Use Committee.

032010 [Extend for the third year of funding the HIV Care and Related Services for Women and Minorities grant]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$745,125 from the Department of Health and Human Services, Office of Minority Health (DHHS, OMH) to provide the third year of funding for HIV Care and Related Services for Women and Minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004.

(Public Health Department)

(Public Benefit Recipient.)

12/12/2003, RECEIVED AND ASSIGNED to City Services Committee.

032011 [BART Payment for MUNI Transfer Trips]

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2003-2004.

(Municipal Transportation Agency)

(No Public Benefit Recipient.)

12/11/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032013 [Evaluating the non-name HIV reporting system in California]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into the second year of an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$10,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2003 to June 30, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

12/15/2003, RECEIVED AND ASSIGNED to City Services Committee.

032014 [Accept-Expend State Forgivable Loan]

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$467,500 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to convert two floors of a building at 150 Otis Street in order to provide emergency homeless shelter services.

(Human Services Department)

(Public Benefit Recipient.)

12/17/2003, RECEIVED AND ASSIGNED to City Services Committee.

032015 [Accept-Expend State Forgivable Loan]

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$465,252 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to make major repairs to the Multi-Service Center South (695 Bryant Street) which provides homeless shelter services.

(Human Services Department)

(Public Benefit Recipient.)

12/17/2003, RECEIVED AND ASSIGNED to City Services Committee.

032045 [Contract funds to expand healthcare services to newly housed people with disabilities]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the San Francisco Community Clinic Consortium (SFCCC), the primary contractor, and accept and expend funds in the amount of \$299,773 to expand healthcare services to newly housed people with disabilities; for the period of September 1, 2003 to August 31, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

12/18/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be calendared at the January 8, 2004 meeting.

032048 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Dartmouth and Silliman Streets, facing Dartmouth Street, making this intersection an all-way STOP; Burrows and Hamilton Streets, facing Hamilton Street, making this intersection an all-way STOP; and Mullen and Peralta Avenues, stopping Peralta Avenue at Mullen Avenue, making this uncontrolled intersection a two-way STOP.

(Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

12/22/2003, RECEIVED AND ASSIGNED to Land Use Committee.

032049 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH

Lucky Street, west side, from the north property line to the south property line of 2843 Folsom Street (a 25-foot zone across from 39 Lucky Street); and
Dolores Street, west side, from 28th Street to eight feet northerly.

NO PARKING ANYTIME - RESCIND

Ellsworth Street, west side, from the south property line of 760 Ellsworth Street to the south property line of 764 Ellsworth Street, north of Alemany Boulevard (50 feet).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Castro Street, both sides, between 23rd and Elizabeth Streets (1100 block); and
Elizabeth Street, both sides, between Castro and Noe Streets. (500 block).

ANGLE PARKING (45-DEGREE) - ESTABLISH

Oakdale Avenue, north side, from 140 feet east of 3rd Street (near Mendell Street) to Lane Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mendell Street, both sides, between Oakdale and Palou Avenues;
Riviera Street, on the eastern terminus, from the southeast corner to a point 24 feet northerly; and
Riviera Street, south side, from the terminus to a point 10 feet westerly.
Greenwich Street, east of Hyde Street, from the north curb line to 13 feet southerly and from 39 feet to the south curb line, along the terminus wall.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Harriet Street, east side, from Brannan Street to 40 feet southerly;
Oakdale Avenue, both sides, from 3rd Street to 16 feet east of Mendell Street;
Washington Street, south side, from Leavenworth Street to 10 feet westerly (replaces seven-foot red zone);
Market Street, east side, from Corbett Avenue and Portola Drive crosswalk to 550 feet northerly; and
Portola Drive, east side, from Corbett Avenue and Market Street crosswalk to 385 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 27th and Duncan Streets (portion of the 1500 block).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

RESIDENTIAL PERMIT PARKING AREA "A" AND "C" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Broadway, north side, from 13 to 240 feet east of Hyde Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hill Street, north side, between Guerrero and Valencia Streets, in front of 16 Hill Street (accommodates five unmetered motorcycle spaces);
Greenwich Street, east of Hyde Street, from 35.5 feet to 39 feet south of the north curb line, along the terminus wall, for one space;
Steiner Street, east side, between the driveways of 1000 and 1006 Steiner Street (accommodating six to seven motorcycle parking stalls);
Dolores Street, west side, from 8 feet to 22 feet north of 28th Street (accommodates four unmetered motorcycle parking spaces);
Waller Street, between the driveways of 231 and 235 Waller Street (accommodates two motorcycle parking spaces);
Frederick Street, adjacent to the triangular island east of Arguello Boulevard, on the north side of the

island, from the east end to 14 feet westerly (accommodates four unmetered motorcycle stalls), and on the south side of the island, from the east end to eight feet westerly (accommodates two unmetered motorcycle stalls).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Cesar Chavez Street, north side, from Castro Street to 400 feet easterly;

Gaven Street, north side, from west curb line of Bowdoin Street to west edge of driveway at 394 Gaven Street (80-foot zone);

Lyon Street east side, between Golden Gate Avenue and Turk Street;

Cole Street, west side, from Carmel Street to 195 feet southerly;

Greenwich Street, east of Hyde Street, from 13 feet to 39 feet south of the north curb line, along the terminus wall;

Jones Street, west side, from California Street to Pine Street;

4th Avenue, east side, between Irving Street and Parnassus Avenue;

5th Avenue, east side, between Irving Street and Parnassus Avenue;

Taylor Street, west side, between California and Pine Streets;

Mason Street, east side, between Bush and California Streets;

Dartmouth Street, west side, from Dwight Street to a point 45 feet north of Mansell Street;

Hamilton Street, west side, between Dwight and Woolsey Streets;

Barneveld Avenue, east side, from Gaven Street to Silver Avenue;

18th Street, south side, between Arkansas and Connecticut Streets;

23rd Street, south side, between Indiana and Minnesota Streets;

De Haro Street, east side, between 19th Street and Southern Heights Avenue;

De Haro Street, east side, between 22nd and 23rd Streets;

Minnesota Street, east side, between 22nd Street and terminus south of 22nd Street;

Missouri Street, west side, from 0 to 200 feet north of 17th Street;

San Bruno Avenue, east side, between 16th and 17th Streets;

Tennessee Street, east side, between 20th and 22nd Streets;

Tennessee Street, both sides, from 0 to 170 feet south of 22nd Street; and

San Bruno Avenue, both sides, from 18th to 20th Streets.

(Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

12/22/2003, RECEIVED AND ASSIGNED to Land Use Committee.

032050 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH

Oakdale Avenue, both directions, from Phelps Street to 180 feet west of 3rd Street and from 3rd Street to 80 feet easterly.

RIGHT TURN ONLY - RESCIND

21st Street, eastbound and westbound, at Guerrero Street.

NO LEFT TURN EXCEPT MUNI AND TAXIS FROM 3 PM TO 7 PM (SIX-MONTH TRIAL) - ESTABLISH

Northbound Potrero Avenue to westbound 24th Street; and
Eastbound 24th Street to northbound Potrero Avenue.

STREET CLOSURE, 10 AM to 3 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Leidesdorff Alley, between Halleck and Sacramento Streets.**ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - ESTABLISH**

Arago Street, between Havelock and Paulding Streets.
(Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

12/22/2003, RECEIVED AND ASSIGNED to Land Use Committee.

032058 [Petitions and Communications]

Petitions and Communications received from December 9, 2003 through December 29, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 6, 2004.

From Planning Department, submitting draft Environmental Impact Report for the State Compensation Insurance Fund Building at 55 Ninth Street. Copy: Each Supervisor (1)

From the Natural Areas Program Citizen Advisory Committee, submitting the Natural Areas Program management plan. File 031936, Copy: Each Supervisor (2)

From Human Rights Commission, submitting revised copy of "Compliance Rules and Regulations for Gender Identity Discrimination." (3)

From Office of the Controller, submitting a financial annual report for fiscal year 2002-03. (4)

From S.F. Airline Airport Affairs Committee, regarding the December 2, 2003 letter to the Board of Supervisors regarding the West Field Cargo Area Redevelopment Project. File 031716, Copy: Each Supervisor (5)

From S.F. Association of Realtors, commenting on proposed ordinance that regulates the distribution of literature by a residential tenant in a building to other tenants in the building. File 031701, Copy: Each Supervisor (6)

From Parkmerced Residents' Organization, submitting support for proposed ordinance that allows the distribution of literature by a residential tenant in a building to other tenants in the building. File 031701, Copy: Each Supervisor (7)

From various signators, submitting Form 700 Statement of Economic Interests: Alexandra Young, Tina Tom. (8)

From Office of the City Attorney, submitting copy of letter sent to constituent regarding taxes. (9)

From S.F. Unified School District, submitting response to the December 10, 2003 e-mail on Bond Appropriation Funds. (10)

From S.F. Unified School District, submitting corrected spreadsheet for the Proposition A Financial Report. (11)

From Citizens' General Obligation Bond Oversight Committee, submitting annual report from the Citizens' General Obligation Bond Oversight Committee for 2003. Copy: Each Supervisor (12)

From Department of Parking and Traffic, responding to request for a traffic calming analysis of Leland Avenue between Scherwin and Rey Streets. (Reference No. 20031102-004) Copy: Supervisor Maxwell (13)

From Office of the City Attorney, submitting notice that the appeal for 899 North Point was filed in a timely manner and therefore should be calendared before the Board of Supervisors for a public hearing. (14)

From Fire Department, regarding the time it will take for the seismic retrofitting of Fire Station 33. Copy: Each Supervisor (15)

From Police Department, concerning the potential utilization of police officers as medical first responders in the Oceanview/Merced/Ingleside area of San Francisco. (16)

From Planning Department, urging the Board to take action as soon as possible to establish permanent procedures for handling CEQA appeals. Copy: Each Supervisor (17)

From Reuben & Alter, submitting name of project sponsor for proposed residential development at 899 North Point. (18)

From concerned citizens, submitting their concerns with the proposed project at 937-939 Jackson Street. File 031905, Copy: Each Supervisor (19)

From Reuben & Alter, submitting opposition to the pending CEQA appeal for 937-939 Jackson Street. File 031905 (20)

From concerned citizens, commenting on the December 9, 2003 Mayoral run-off election. Copy: Each Supervisor (21)

From State Water Resources Control Board, submitting notice of public meeting for proposed California Ocean Plan Amendments in Sacramento. (22)

From Korean Air, commenting on the West Field Cargo Area Redevelopment Project at SFO. File 031716 (23)

From Department of Public Health, requesting approval of a supplemental appropriation in the amount of \$237 million, for construction expenditures for the Laguna Honda Replacement Program. (24)

From Office of the Controller, submitting report concerning the concession audit of the Polk-Bush Garage. (25)

From Secretary of State, submitting notice that the amendments to the Charter on the November 4, 2003 Municipal Election were filed in the Secretary of State's office on December 5, 2003. (26)

From Ethics Commission, submitting annual report for fiscal year 2002-03. (27)

From S.F. Redevelopment Agency, regarding approval of the Hunters Point Shipyard project. Copy: Each Supervisor (28)

From Kathleen McGinley, submitting opposition to restrictions on bonfires at Ocean Beach. Copy: Each Supervisor (29)

From the Department of Public Health, regarding the Fair Housing report that will be generated by Mayor's Office on Housing as a result of the comprehensive Housing Affordability Strategy report. File 031279 (30)

From Mats Engstrom, submitting request for transfer of a Type 20 liquor license from 144 King Street to 60 Dorman Avenue for Tsar Nicoulai Caviar. File 032044 (31)

From the Union Square Business Improvement District, submitting the results of the 2003 Special Renewal Election for the Union Square Business Improvement District. File 031815 (32)

From concerned citizens, submitting their concerns with the proposed transitional housing project at 850 Broderick Street. File 031871 (33)

From Sierra Club, requesting the Board of Supervisors consider adding green building techniques to future plans of renovation and expansion of the branch libraries known as Ingleside, Ortega, Portola, Richmond and Visitacion Valley. (34)

From Peter Warfield, requesting the Board of Supervisors urge the Library give greater emphasis to purchasing more books and providing more reader seating in their future branch library renovations. Files 031923, 031924, 031925, 031926, 031927, Copy: Each Supervisor (35)

From James Chaffee, submitting letter entitled "Library Planning Slips in Under the Radar" regarding funding for the public library. Copy: Each Supervisor (36)

From Diana Holland-Cramer, submitting support for the reauthorization of the Union Square Business Improvement District. File 031815 (37)

From EA Engineering, Science and Technology, Inc., submitting support for confirmation of Ryan Brooks to the Public Utilities Commission. File 0317864 (38)

From Patrick Monette-Shaw, submitting opposition to settlement of unlitigated claim against CCSF relating to the use of tobacco settlement revenues by the Department of Public Health. File 031885 (39)

From Irene Yao, commenting on her unpleasant experience with a MUNI bus driver. (40)

From County of Lassen, Board of Supervisors, submitting copy of resolution sent to Governor Schwarzenegger, urging reform in financing local government services by the Governor and State Legislature. (41)

From the Panhandle Residents Organization of Stanyan/Fulton (PROSF), submitting support for the advisory committee's report on the Natural Areas Program. File 031936 (42)

From concerned citizens, submitting opposition to the proposed Secondary Unit legislation. File 021598 (43)

From various students at Abraham Lincoln High School, submitting various views on some form of gun control in California. (44)

From Abdalla Megahed, commenting on various City officials and the homeless situation in San Francisco. (45)

From concerned citizens, submitting support for the acquisition of the Page Street Garden. File 031814, Copy: Supervisors Peskin, Sandoval, McGoldrick (46)

From concerned citizens, urging the Board to reject the proposed lease for a new cruise ship terminal at Piers 30-32. (47)

From Jorge Ortiz, submitting support to keep Fire Station 33 open. Copy: Each Supervisor (48)

From Office of the Controller, submitting copy of letter sent to the Aging and Adult Services Commission regarding the collection of off-street parking taxes. (49)

From Municipal Transportation Agency, regarding request to reconsider deletion of two bus stops on bus line number 52-Excelsior. (Reference No. 20031102-001) Copy: Supervisor Sandoval (50)

From Abdalla Megahed, submitting copy of letter sent to Supervisor Newsom urging him not to replace Police Chief Alex Fagan for at least six months. (51)

From Planning Department, submitting preliminary Negative Declaration on proposed Housing Element of the San Francisco General Plan. Copy: Each Supervisor (52)

From Issac Lee, submitting request for transfer of a Type 48 liquor license from 839 Howard Street to 447 Broadway. File 032046 (53)

From Office of the Legislative Analyst, submitting notice that as of January 1, 2004 the Office of the Legislative Analyst will no longer provide hard copies of future reports, however these reports will be posted on the City's website at www.sfgov.org. (54)

From Clerk of the Board, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-060) Copy: Supervisor Hall (55)

From Office of the Controller, submitting report concerning the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector for the quarter ended September 30, 2003. (56)

From Office of the Controller, submitting the regular set of high level financial reports for the month of November 2003 showing fiscal year 2003-04 status and year-end figures for the prior year (2002-03). (57)

From Mayor's Office of Housing, submitting recommendations on establishing an Ombudsperson or Consumer Advocate Office for individuals with complaints about treatment in housing. File 031279, Copy: City Services Committee (58)

From Muni, submitting request for release of reserved funds (\$46,722) to support cable car system improvements. File 032047 (59)

From Comcast Communications Inc., submitting notice of launch dates to take place between January 15, 2004 and January 28, 2004. (60)

From Office of the Legislative Analyst, submitting report on youth employment efforts in San Francisco; including an analysis of how different departments and agencies collaborate to provide local youth employment resources. File 031414, Copy: Each Supervisor (61)

From Municipal Transportation Agency, submitting report on the justification for employees who worked overtime in excess of 16% of their regularly scheduled straight time. (62)

From Charles Russell, submitting letter entitled "Humanity Overthrow Monetary Enslavement" dated December 20, 2003. (63)

From County of Madera, Board of Supervisors, submitting letter urging Governor Schwarzenegger to consider returning all property tax revenues to local government. Copy: Each Supervisor (64)

From U.S. Congressmen Tom Lantos, commending the Board of Supervisors for passing a resolution supporting House Joint Resolution 45, honoring the soldiers of Asian descent who fought in the Civil War. (65)

From Juvenile Probation Department, submitting request for waiver of Administrative Code Sections 12B and 12C for Chevron for fuel and other minor auto services. (66)

From San Francisco Bay Area Rapid Transit District (BARTD), submitting BART's Transit-Oriented Development Guidelines Report. Copy: Each Supervisor (67)

From Planning Department, submitting Certificate of Determination for substitute ordinance regarding formula retail uses in the Hayes-Gough NCD and in the NC Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets. File 031501 (68)

From Board of Appeals, submitting annual report for the Board of Appeals for fiscal year 2002-03. (69)

From Coblenz, Patch, Duffy & Bass, regarding proposed ordinance to transfer jurisdiction of property at Assessor's Block 2870, Lot 48 (the "Portola Property") from the Department of Public Works to the Recreation and Park Department. File 031988 (70)

From Planning Department, submitting preliminary Mitigated Negative Declaration for the San Francisco Marina Renovation. Copy: Each Supervisor (71)

From City College of San Francisco, submitting television and online courses for Spring 2004. Copy: Each Supervisor (72)

From the European Commission, regarding the new policy for regulating hazardous chemicals. (73)

From the Joint Legislative Sunset Review Committee, submitting notice of rescheduled meeting addressing the budgetary impact on consumer boards and bureaus to January 6 and 7, 2004. (74)

From Verizon Wireless, submitting notification letter for a CPUC Cell Site for Verizon Wireless at 2325 Third Street. (75)

From Department of Public Health, responding to inquiry about plans to add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers. (Reference No. 20031216-022) Copy: Supervisor Hall (76)

From Comcast Communications, submitting notice of Comcast's rebuild schedule and launch dates for Cable customers. (77)

From San Francisco Superior Court, responding to inquiry about plans to add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers. (Reference No. 20031216-033) Copy: Supervisor Hall (78)

From Ethics Commission, submitting summary of key provisions of the new post-employment restrictions that apply to City employees. (79)

From Redevelopment Agency, submitting the financial and performance reports for the quarter ended September 30, 2003. Copy: Finance Committee (80)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA



DOCUMENTS DEPT.

JAN - 9 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 13, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Duffy, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Duffy, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 PM

Wednesday

9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía de el viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the November 25, 2003, December 9, 2003 and December 16, 2003 Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the City Services Committee

Present: Supervisors Duffy, Daly

**031242 [Participation in the Supportive Transitional Emancipation Program for foster youth]
Supervisors Daly, Duffy, Ammiano**

Ordinance adding Article III to Chapter 20 of the San Francisco Administrative Code to establish participation in the Supportive Transitional Emancipation Program (STEP), in which eligible foster youth may receive financial support while participating in an educational or training program, or any activity consistent with their transitional independent living plan up to 21 years of age pursuant to section 11403.1 of the Welfare and Institutions Code.

1/6/2004. PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

2. 031506 **[Appropriate funding for the sale of school bond proceeds for capital improvement projects on various school facilities]**
 Mayor, Supervisor Sandoval
 Ordinance appropriating \$29,480,000 of school bond proceeds for capital improvement projects on various school facilities, cost of issuance, and other related costs for the San Francisco Unified School District for fiscal year 2003-04.
 (Fiscal impact.)

1/6/2004, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Sandoval, McGoldrick

3. 031808 **[Prevailing Wage Rates]**
 Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; and workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City.
 (Civil Service Commission)
 (No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 031845 **[Accept-Expend Regional Grant]**
 Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling \$248,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.
 (Airport Commission)
 (No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 031910 **[Contracting out Janitorial Services]**
 Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees.
 (Real Estate Department)
 (Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present Supervisors McGoldrick, Maxwell, Ammiano

031193 [Historic District Street Signs]

Supervisor Peskin

Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on certain street signs located within a historic district.

1/6/2004, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

031957 [Mission Bay Owens Street at Park P1 Improvements]

Ordinance designating a portion of State Trust Parcel 2 adjacent to Park P1 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way (Channel); designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance responsibilities and liability purposes, subject to specified limitations; accepting an agreement relating to temporary City access, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,529 and authorizing official acts in connection with this ordinance.

(Public Works Department)

(No Public Benefit Recipient.)

1/6/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

031958 [Mission Bay Third Street/16th Street Utility Project]

Ordinance recommending the recordation of the conditional irrevocable offer of portions of property adjacent to Third Street; accepting portions of the irrevocable offer for the joint trench acquisition facilities and rejecting the offer of the Pacific Gas & Electric facilities; dedicating said accepted acquisition facilities for right-of-way purposes; designating said accepted acquisition facilities for public use and designating said accepted acquisition facilities for maintenance purposes; accepting the Easement Agreement for public utility purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,530; and authorizing official acts in connection with this ordinance.

(Public Works Department)

(No Public Benefit Recipient.)

1/6/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

9. 032006 **[Settlement of Charges]**

Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

0. 032053 [Adopting findings related to the determination that the appeal of 701 Lombard St. negative declaration was timely]
Motion adopting findings related to the determination that the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street was timely filed.
(Clerk of the Board)
(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

12/31/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

1. 032054 [Adopting findings related to the appeal of the negative declaration issued by the Planning Department for the 701 Lombard Street project]
Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on January 15, 2003 for 701 Lombard Street project.
(Clerk of the Board)
(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

12/31/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma

2. 031929 [San Francisco Law Library Justice Center]
Mayor, Supervisor Gonzalez
Resolution in support of the San Francisco Law Library Justice Center at 525 Golden Gate Avenue.

12/16/2003, CONTINUED. Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to January 13, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

13. 031792 [Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]
Supervisors Peskin, Daly, Ammiano
Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible base rent increases based upon a landlord's Operating and Maintenance petitions pending or filed on or after October 28, 2003 for a property with six or more residential units, so that the same landlord may not impose more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.

1/6/2004. PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Peskin

14. 031534 [Appointment]
Resolution appointing F.X. Crowley, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.
F.X. Crowley, succeeding Robert McDonnell, deceased, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

Supervisor Duffy dissenting in committee.

12/16/2003, CONTINUED. Continued to January 13, 2004

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peñskin, Sandoval, McGoldrick

5. 031871 [Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]
Mayor, Supervisor Sandoval
Ordinance appropriating \$3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes \$3,120,000 for purchasing and closing costs of the property and \$680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 031887 [Agreement to Purchase 850 Broderick Street]
Mayor, Supervisor Sandoval
Resolution approving and authorizing an agreement for the purchase of real property located at 850 Broderick Street to house low-income people for a purchase price of \$3,100,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, making certain modifications and take certain actions in furtherance of this resolution.
(Fiscal impact: Companion measure to File 031871.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

7. 031989 [Transfer of City-Owned Property - Public Notice]
Supervisors Duffy, Ma, Hall
Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****18. 031551 [Eminent Domain - Resolution of Necessity - 701 Lombard Street]****Supervisor Peskin**

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

10/7/2003, CONTINUED. Continued to October 21, 2003 at 4:00 p.m.

10/21/2003, CONTINUED. Continued to November 25, 2003

11/25/2003, CONTINUED. Supervisor Peskin, seconded by Supervisor Ammiano, moved to continue this matter to December 16, 2003.

12/16/2003, CONTINUED. Continued to January 13, 2004

Question: Shall this Resolution be ADOPTED?

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

SPECIAL ORDER 4:00 P.M.

19. 031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)
(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 031970 [Affirming the categorical exemption issued for 899 North Point Street]
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

21. 031971 [Disapproving the categorical exemption issued for 899 North Point Street]
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
22. 031972 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?

23. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

24. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 and 26

25. 040004 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

1/6/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

26. 040038 [Final Map for a 12 Unit Mixed-Use Condominium Project]
Motion approving Final Map of 49 Ocean Avenue, A Mixed-Use Condominium Project, being a subdivision of Lot 37 in Assessor's Block No. 6955, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,585; District 11.)

1/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

27. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 30, 2003 through January 5, 2004, for reference by President to appropriate committee on January 13, 2004.

- 032052** [Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions.
(Taxi Commission)
(No Public Benefit Recipient).

12/29/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 30, 2003 through January 5, 2004, for reference by President to appropriate committee on January 13, 2004.

- 040036** [Settlement of Claim - North Coast County Water District]
Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for \$86,247.48; claim was filed on August 29, 2003.

1/5/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 040037** [Lease of Real Property]
Resolution authorizing the lease of 30,790 sq. ft. of office space in the building located at 1145 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission.
(Real Estate Department)

1/5/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

From Fire Department, regarding the potential effect of the Secondary Unit Legislation on the Fire Department's ability to protect the City's public health, safety and welfare. (Reference No. 20031028-005) Copy Supervisor Hall (17)

From Florence Fung, submitting copy of letter sent to the Department of Parking and Traffic regarding a missing parking sign modification. (18)

From Office of the Treasurer, submitting the Cash Differences and Overages Fund for the period ending December 31, 2003. (19)

From James Chaffee, commenting on e-mails that were distributed by the City Librarian to the library commissioners. Copy: Each Supervisor (20)

From Bob Conrad, commenting that many business travelers are switching to Oakland International Airport in increasing numbers because there is no problem with runway closures, etc. Copy: Each Supervisor (21)

From US Department of Commerce, submitting summary of the Sanctuary Advisory Council Workshop held on December 4, 2003 concerning the shared boundary between the Monterey Bay National Marine Sanctuary and the Gulf of the Farallones National Marine Sanctuary. (22)

From Christina Stout, submitting opposition to proposed legislation regarding "Secondary Unit Legislation" and other related legislation. (23)

From Jeff Staben, submitting opposition to proposal by the Department of Recreation and Park to limit the San Francisco Soccer League to a three month season. File 031200 (24)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

January 8, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Business and Tax Regulations	031990	Finance and Audits Committee	Supervisor Ma	12/9/03	1/9/04
Ordinance amending Building Code work practices for lead-based paint	031991	City Services Committee	Supervisor Peskin	12/9/03	1/9/04
Ordinance amending Health Code relocation of persons affected by lead hazard	031992	City Services Committee	Supervisor Peskin	12/9/03	1/9/04
Ordinance amending zoning map of SF Block 2870, Lot 48	031998	Land Use Committee	Supervisor Hall	12/9/03	1/9/04
Ordinance approving method for Community Land Trusts to covert existiing residential buildings to limited-equity condos.	032031	Land Use Committee	Supervisor Daly	12/16/03	1/15/04
Charter Amendment amending Sections A8.509 and A8.587 relating to retirement benefits for miscellaneous officers and employees.	040009	Rules Committee	Supervisor Sandoval	1/6/04	2/6/04

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA



DOCUMENTS DEPT.

JAN 22 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 27, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 PM

Wednesday

9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 6, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

1. 031948 [Liquor License, Second Floor, 2369-2371 Market Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises license to P H Holdings Inc. dba The City, located at 2369-2371 Market Street, 2nd Floor (District 8), in exchange for current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

2. 032010 **[Extend for the third year of funding the HIV Care and Related Services for Women and Minorities grant]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$745,125 from the Department of Health and Human Services, Office of Minority Health (DHHS, OMH) to provide the third year of funding for HIV Care and Related Services for Women and Minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004.

(Public Health Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 032013 **[Evaluating the non-name HIV reporting system in California]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into the second year of an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$10,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2003 to June 30, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 032045 **[Contract funds to expand healthcare services to newly housed people with disabilities]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the San Francisco Community Clinic Consortium (SFCCC), the primary contractor, and accept and expend funds in the amount of \$299,773 to expand healthcare services to newly housed people with disabilities; for the period of September 1, 2003 to August 31, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

5. 031871 **[Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]**
Mayor, Supervisor Sandoval
Ordinance appropriating \$3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes \$3,120,000 for purchasing and closing costs of the property and \$680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.
(Fiscal impact.)

1/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

6. 031989 **[Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall
Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

1/13/2004, AMENDED.

1/13/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

7. 031575 **[Appointment]**
Resolution appointing Manuel Jimenez, term ending January 1, 2005 to the Treasure Island Development Authority Citizens Advisory Board.
Manuel Jimenez, succeeding Amy Hutzel, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

Question: Shall this Resolution be ADOPTED?

8. 040041 [Appointment]

Resolution appointing Susan Stryker, and Philip Choy, terms expiring December 16, 2004, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Question: Shall this Resolution be ADOPTED?

9. 040042 [Appointment]

Resolution appointing Linda M. Yu Bien, term expiring January 15, 2007 to the San Francisco Health Authority.

Linda M. Yu Bien, succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.

Question: Shall this Resolution be ADOPTED?

10. 040050 [Appointment]

Resolution appointing Jim Dorenkott, term ending March 31, 2005 to the Commission on Aging Advisory Council.

Jim Dorenkott, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

11. 032014 [Accept-Expend State Forgivable Loan]
 Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$467,500 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to convert two floors of a building at 150 Otis Street in order to provide emergency homeless shelter services.
(Human Services Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

12. 032015 [Accept-Expend State Forgivable Loan]
 Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$465,252 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to make major repairs to the Multi-Service Center South (695 Bryant Street) which provides homeless shelter services.
(Human Services Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

13. 032012 [Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]

Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance.

(Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pending approval of File No. 040073.)

14. 040072 [Hearing - Board Files 031770, 031771, and 031772]
Hearing to consider legislation contained in Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill.
(Clerk of the Board)

Action: _____

Committee of the Whole Rise and Report Without Recommendation**Called From the Land Use Committee**

15. 031770 [General Plan Amendments]
Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 031771 [Zoning Map Amendment]
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 031772 [Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]
Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

SPECIAL ORDER 4:00 P.M.**18. 031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)
(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

1/13/2004, CONTINUED. Continued to January 27, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**19. 031970 [Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

1/13/2004, CONTINUED. Continued to January 27, 2004

Question: Shall this Motion be ADOPTED?

20. 031971 [Disapproving the categorical exemption issued for 899 North Point Street]
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/13/2004, CONTINUED. Continued to January 27, 2004
Question: Shall this Motion be ADOPTED?
21. 031972 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/13/2004, CONTINUED. Continued to January 27, 2004
Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:30 P.M.**22. 040045 [Public Hearing - Appeal, Conditional Use - 1160 Mission Street]**

Hearing of persons interested in or objecting to the decision of Planning Commission by its Motion No. 16693 dated December 4, 2003, approving Conditional Use Application No. 2002.0628CEKVX, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces in a C-3 District and for Residential-serving off-street in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and 150-S and 240-S Height and Bulk Districts, on property located at 1160 Mission Street, northwest side between Seventh and Eight Streets, with additional frontage on Stevenson Street; Lots 37, 38, and 56 in Assessor's Block 3702. (Filed by Dave Snyder on behalf of Transportation for a Livable City and subscribed by Supervisors Chris Daly, Matt Gonzalez, Tom Ammiano, Jake McGoldrick, and Gerardo Sandoval.)

(Appeal filed January 5, 2004; companion measure to Files 040046, 040047, 040048, 040049, District 6.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**23. 040046 [Appeal, Conditional Use - 1160 Mission Street]**

Motion approving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

24. 040047 [Appeal, Conditional Use - 1160 Mission Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

25. 040048 [Findings - 1160 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0628CEK VX on property located at 1160 Mission Street, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

26. 040049 [Environmental Review - 1160 Mission Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 29 through 42

29. 040073 [Committee of the Whole - 201 Folsom and 300 Spear Streets] Supervisor Ma

Motion approving the convening by the Board of Supervisors of a public hearing as a Committee of the Whole for Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill, at the January 27, 2004 meeting of the Board of Supervisors.

1/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

30. 040057 [State law change related to alcohol closing hours] Supervisor Peskin

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

1/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 040062 **[Honoring the contributions of the LGBT Community to the History and Culture of San Francisco]**
Supervisors Ammiano, Dufty
Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
32. 040063 **[Renaming SBC Park playing grounds as "Mays Field"]**
Supervisors Daly, Gonzalez
Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
33. 040064 **[AIDS Drug Assistance Program]**
Supervisors Daly, Ammiano, Dufty
Resolution urging the Governor and Legislature to fully fund the California AIDS Drug Assistance Program (ADAP) and reject an enrollment cap.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
34. 040065 **[Commending Martha Knutzen]**
Supervisors Dufty, Ammiano, Ma, Maxwell
Resolution commending Martha Knutzen for distinguished public service on the San Francisco Human Rights Commission.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. 040066 **[Commending the Organization of Chinese Americans]**
Supervisors Ma, Dufty
Resolution commending the Organization of Chinese Americans on their valuable contributions towards the issuance of a series of commemorative stamps based on the Chinese zodiac of the lunar New Year calendar.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

36. 040067 [Commending Robert Morey]
Supervisor Maxwell
Resolution commending Robert Morey for his dedication and exemplary service to the Visitacion Valley community and proclaiming January 24, 2004 as Robert Morey Day in San Francisco.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 040068 [Commending Community Works, Sheriff's Department and Visitacion Valley Middle School]
Supervisor Maxwell
Resolution commending Community Works, Sheriff Department and Visitacion Valley Middle School for the creation and implementation of The ROOTS program.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 040069 [Extension of Planning Commission Review Period]
Supervisor Peskin
Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 040071 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
40. 040024 [Final Map for a 28 Unit Live/Works Condominium Project]
Motion approving Final Map of 1247 Harrison Street, A Live/Works Condominium Project, being a subdivision of Lot 72 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,620; District 6.)
- 1/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?

41. 040025 [Final Map for a 23 Unit Commercial/Residential Condominium Project]
Motion approving Final Map of 1452 Bush Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 667, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,621; District 3.)

1/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

42. 040026 [Final Map for an 8 Unit Residential Condominium Project]
Motion approving Final Map of 1009 Mission Street, A Residential Condominium Project, being a subdivision of Lot 153 in Assessor's Block No. 3726, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,622; District 6.)

1/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 6, 2004 through January 16, 2004, for reference by President to appropriate committee on January 27, 2004.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 6, 2004 through January 16, 2004, for reference by President to appropriate committee on January 27, 2004.

040015 [Lease of Real Property]

Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs.
(Real Estate Department)

1/12/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040017 [Accept-Expend State Grant]

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$413,323 from the California Governor's Office of Emergency Services for emergency response equipment.

1/12/2004, RECEIVED AND ASSIGNED to City Services Committee.

040019 [Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]

Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system.
(Municipal Transportation Agency)

1/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040020 [Airport Concession Lease]

Resolution approving Amendment No. 4 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

1/15/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040023 [Public Auction of tax-defaulted real property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.

(Treasurer-Tax Collector)

1/16/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040051 [Petitions and Communications]

Petitions and Communications received from December 30, 2003 through January 5, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 13, 2004.

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapters 12B and 12C for professional services from Fiware. (1)

From Public Utilities Commission, submitting request for release of reserved funds for \$5,000,000. (2)

From Office of the Controller, submitting report concerning the audit of the Salvation Army. (3)

From Yasmen Sorab Mehta, submitting support for funding the San Francisco International Arts Festival. File 031581 (4)

From Animal Care and Control Department, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-013) Copy: Supervisor Hall (5)

From SF Employees' Retirement System, submitting notice that the annual report for the City Employees' Retirement System is available for viewing and/or printing on the City's website at www.sfgov.org. (6)

From Department of Public Health, submitting report entitled "Comprehensive Environmental Lead Poisoning Prevention Program" dated December 2, 2003. (7)

From PG&E, submitting report which provides the names and address of monthly listing of accounts delinquent over 90 days. (8)

From Office of the Controller, submitting report concerning the audit of NRG Energy Center. (9)

From Office of the Controller, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-052) Copy: Supervisor Hall (10)

From Reuben & Alter, submitting project sponsors submittal in response to appeal of categorical exemption for property located at 899 North Point Street. Copy: Each Supervisor, File 031969 (11)

From Department of Human Resources, submitting quarterly report on status of the IFPTE Local 21 Special Assistant Audit and the MEA Management Classification and Compensation Plan. Copy: Each Supervisor (12)

From Department of Human Resources, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-038) Copy: Supervisor Hall (13)

From Comcast Communications Inc., submitting notice of a programming adjustment scheduled for February 4, 2004. (14)

From Jude Koski, submitting support for purchase of property at 438 Page Street for the Page Street Garden. File 031814 (15)

From Office of the Mayor, submitting corrected term expiration dates for appointees to the Department on Building Inspection. Copy: Each Supervisor (16)

From Supervisor Daly, submitting memorandum regarding commission appointments made by the Mayor between December 22, 2003 and January 8, 2004. (17a)

040117 [Petitions and Communications]

Petitions and Communications received from January 6, 2004 through January 16, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 27, 2004.

From Dave Snyder, filing notice of appeal for 1160 Mission Street from action of Planning Commission. (1)

From S.F. Association of Realtors, submitting opposition to proposed ordinance that limits the permissible rent increase under a landlord's Operating and Maintenance petition to a total of 7% for any unit in any five-year period. File 031792, Copy: Each Supervisor (2)

From Office of the City Attorney, submitting a detailed City Attorney Report for the number of hours of service provided in November 2003. (3)

From Office of the Treasurer & Tax Collector, requesting the appointment of Dr. George Kozita. to the Treasury Oversight Committee. (4)

From various signators, submitting Form 700 Statement of Economic Interests: (5)
Catherine Garza
Gabriela Barragan
Darcy Brown
David Grenell
Dustin Blake

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for Central Police Station at 766 Vallejo Street was conducted on November 25, 2003. (6)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for Mission Police Station at 630 Valencia Street was conducted on December 2, 2003. (7)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for San Francisco General Hospital Wards 7D/7L at 1001 Potrero Avenue was conducted on December 8 and 30, 2003. (8)

From Tishman Speyer Properties and Union Property Capital, submitting support for proposed General Plan and Zoning Amendments for 300 Spear Street and the 201 Folsom Street Projects. Copy: Land Use Committee (9)

From Airport, regarding plans to create new jobs with the development of the West Field Cargo Complex. (Reference No. 20031216-046) Copy: Supervisor Hall (10)

From Department of Elections, regarding update on the implementation of Ranked-Choice Voting in San Francisco. Copy: Each Supervisor (11)

From SF Environment, regarding steps that have been taken within the Department of Environment that will fund a position that will be responsible for all Ocean Beach issues. (12)

From Planning Department, regarding preliminary Negative Declaration for the update of the Housing Element of the San Francisco General Plan. Copy: Each Supervisor (13)

From Department of Elections, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-014) Copy: Supervisor Hall (14)

From Department of Children, Youth and Their Families, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-064) Copy: Supervisor Hall (15)

From Law Library, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-012) Copy: Supervisor Hall (16)

From Chief Medical Examiner, submitting overtime report as required by Section 18.13 of the Administrative Code. (17)

From Municipal Transportation Authority, submitting request for waiver of Administrative Code Chapters 12B and 12C for professional services with Westin St. Francis in San Francisco. (18)

From Daniel Melgar, submitting request for transfer of a type 48 liquor license for Occidental Cigar Club at 576 Green Street. (19)

From Law Offices of Stephen Williams, submitting request for a one week continuance of appeal of categorical exemption for property located at 899 North Point. File 031969, Copy: Each Supervisor (20)

From Reuben & Alter, submitting objection to adoption of the proposed findings by the Board of Supervisors for the Final Negative Declaration of property located at 701 Lombard Street. Files 032053 and 032054, Copy: Each Supervisor (21)

From PG&E, submitting a revised notice for a permit to construct the Potrero to Hunters Point 115 kV Cable Project. Copy: Supervisor Maxwell (22)

From the Office of the Treasurer, submitting correspondence and its attachments of investment portfolio of activity (for fiscal year to date) under management. (23)

From Department of Parking and Traffic, regarding solutions to the traffic concerns around K-12 public schools to ensure the safety of students. (24)

From Planning Department, regarding preliminary Negative Declaration for the update of the Housing Element of the San Francisco General Plan. (25)

From Office of the City Attorney, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-031) Copy: Supervisor Hall (26)

From Ethics Commission, submitting fourth quarter 2003 summary report of campaign consultant activity during the period of September 1, 2003 through November 30, 2003. (27)

From Chief Medical Examiner, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-013) Copy: Supervisor Hall (28)

From Police Department, submitting graphs showing the total number of vehicular/pedestrian accidents in the Taraval District over the last five years. (Reference No. 20031216-003) Copy: Supervisor Hall (29)

From U.S. Department of Homeland Security, submitting notice that an application has been received from the Port of San Francisco for approval of proposed location and plans for a new bridge at Illinois Street, in the Southern Waterfront area of San Francisco. (30)

From Office of the Controller, submitting report concerning the audit of C.M.P. Service Partnership. (31)

From Commissioner Emilio Cruz, submitting resignation from position of Commissioner, San Francisco Board of Education, effectively immediately. (32)

From Brian O'Flynn and Martin Coyne, regarding the appeal of Final Negative Declaration for 701 Lombard Street was untimely. Copy: Each Supervisor (33)

From Ethics Commission, regarding regulations to implement Proposition E, (gifts from subordinates and post-employment restrictions) passed by San Francisco voters on November 2003. (34)

From Ethics Commission, concerning proposed regulations related to provisions in the Campaign Finance Reform Ordinance. (35)

From Nancy Wuerfel, commenting on the report from NAPCAC heard at the City Services Committee hearing on January 7, 2004. File 031936 (36)

From Dave Schneider, regarding book entitled "Unequal Protection – The Rise of Corporate Dominance and Theft of Human Rights" by Thom Hartmann. Copy: Each Supervisor (37)

From Port, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-059) Copy: Supervisor Hall (38)

From Save Our Neighborhoods, commenting on proposed legislation regarding increased fees charged by the Office of the Clerk of the Board for various services. File 032026 (39)

From Department of Public Works, submitting sidewalk repair accounts for quarter ending September 30, 2003. (40)

From Comcast Communications Inc, submitting notice of rebuild schedule and launch dates in the City and County of San Francisco. (41)

From Gilles Desaulniers, submitting request for a type 20 liquor license for CA Harvest Healthy Foods Ranch Market Inc. at 199 Eighth Street. (42)

From concerned citizens, submitting copy of letter sent to Planning Department regarding published notices containing three different deadline for filing an appeal for the Preliminary Negative Declaration for the San Francisco Housing Element Update. (43)

From Budget Analyst, submitting activity status report for the quarter ending December 31, 2003. (44)

From concerned citizens, commenting on the Board of Supervisors finding a solution that would be agreeable to both parties regarding Edgehill Mountain. (45)

From Board of Appeals, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-039) Copy: Supervisor Hall (46)

From Veterans Affairs Commission, urging the Board of Supervisors and Mayor to increase funding for the Veterans' Day Parade. Copy: Each Supervisor (47)

From Dan Tuttle, submitting support for a Special Monitor to review the Bureau of Building Inspection, Building Inspection Commission, Planning Department and Planning Commission. (48)

From Department of Human Resources, submitting Administrative Change to the Annual Salary Ordinance, for fiscal year 2003-04. (49)

From Coalition on Homelessness, submitting support for proposed legislation that would prohibit demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation. File 03-1739, Copy: Supervisors McGoldrick, Maxwell, Ammiano, Daly (50)

From Cindy Cho, submitting opposition to proposed plan to open an "Urban Outfitters" clothing store on Haight Street. Copy: Each Supervisor (51)

From Leboriae Smoore, regarding the San Francisco Housing Authority housing policy at the Alice Griffith Projects. (52)

From Asian Art Museum, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-039) Copy: Supervisor Hall (53)

Number not used. (54)

From Jude Koski, submitting support for the purchase of the Page Street Community Garden from SLUG. File 031814, Copy: Each Supervisor (55)

From concerned citizens, regarding allegations that an employee of the Department of Parking and Traffic failed to list the reasons (as required) for more than 300 of the 1,1189 tickets that were dismissed in 2002. (56)

From Judy Wilhite, commenting on the purchase of 850 Broderick Street as a site for supportive housing for homeless seniors. File 031887 (57)

From U.S. Bankruptcy Court, submitting notice of plan to reorganize under Chapter 11 of the Bankruptcy Code for Pacific Gas and Electric Company dated July 31, 2003, as modified by modifications dated November 6, 2003 and December 19, 2003 and related deadlines. (58)

From Abdalla Megahed, submitting copy of letter sent to Mayor Newsom regarding the homeless situation in San Francisco. (59)

From concerned citizens, commenting on proposed amendments to the San Francisco General Plan. (60)

From Public Utilities Commission, regarding passage of Proposition P on the November 2002 election that created the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor (61)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA



DOCUMENTS DEPT.

JAN 30 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 3, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 13, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

1. 031698 [Approval of the Amended Ground Lease for the Rincon Park Restaurants Project]
Supervisor McGoldrick
Resolution approving the Amended Ground Lease between the Port Commission and JMA Waterfront Properties, LLC, a Delaware limited liability company, for the Rincon Park Restaurants Project, located on The Embarcadero between Howard and Folsom Streets, for a total term, including renewal options, of sixty years.
(Port)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick

2. 031827 **[Airport Concession Lease]**
 Supervisor McGoldrick
 Resolution approving Amendment No. 2 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
 (Airport Commission)
 (No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

3. 032012 **[Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]**
 Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance.
 (Real Estate Department)
 (Public Benefit Recipient.)

1/27/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 032008 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Octavia Boulevard, both sides, between Hayes and Market Streets;
Fell Street, north side, between Frontage Road and Octavia Boulevard;
Octavia Frontage Road, east side, from Market Street to 140 feet northerly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Rose Street, north side, from Octavia Frontage Road to 30 feet easterly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Octavia Frontage Road, east side, from Page Street to 40 feet northerly;
Octavia Frontage Road, east side, from Oak Street to 40 feet northerly;
Octavia Frontage Road, west side, from Fell Street to 24 feet southerly;
Octavia Frontage Road, west side, from Oak Street to 40 feet southerly;
Lily Street, south side, from Octavia Frontage Road to 26 feet westerly;
Octavia Frontage Road, west side, from Haight Street to 60 feet southerly;
Oak Street, both sides, from Gough Street to 22 feet easterly; and
Oak Street, both sides, from 98 feet west of Franklin Street to 149 feet westerly.

BLUE ZONE - REVOKE

Oak Street, south side, from Gough Street to 28 feet easterly.

BLUE ZONE - ESTABLISH

Gough Street, west side, from Oak Street to 26 feet southerly.

TOW-AWAY, NO STOPPING, 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Oak Street, south side, from Octavia Boulevard to 150 feet westerly.

TOW-AWAY, NO STOPPING, 7:00 AM - 9:00 AM, MONDAY THROUGH FRIDAY - REVOKE
Oak Street, north side, from Octavia Street to Laguna Street.

(Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 032050 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.
- BICYCLE LANES - ESTABLISH
Oakdale Avenue, both directions, from Phelps Street to 180 feet west of 3rd Street and from 3rd Street to 80 feet easterly.
- RIGHT TURN ONLY - RESCIND
21st Street, eastbound and westbound, at Guerrero Street.
- NO LEFT TURN EXCEPT MUNI AND TAXIS FROM 3 PM TO 7 PM (SIX-MONTH TRIAL) - ESTABLISH
Northbound Potrero Avenue to westbound 24th Street; and
Eastbound 24th Street to northbound Potrero Avenue.
- STREET CLOSURE, 10 AM to 3 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Leidesdorff Alley, between Halleck and Sacramento Streets.
- ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - ESTABLISH
Arago Street, between Havelock and Paulding Streets.
(Parking and Traffic Department)
(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors McGoldrick, Ammiano*
6. 031994 [Installation of 4-way stop sign – Chestnut and Powell Streets]
Supervisor Peskin
Resolution urging the installation of four-way Stop signs at the intersection of Chestnut and Powell Streets.
- Question: Shall this Resolution be ADOPTED?
7. 031995 [Four-way stop at intersection of Greenwich and Powell Streets]
Supervisor Peskin
Resolution designating Greenwich and Powell intersection as a four-way “STOP” intersection.
- Question: Shall this Resolution be ADOPTED?

8. 032048 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Dartmouth and Silliman Streets, facing Dartmouth Street, making this intersection an all-way STOP; Burrows and Hamilton Streets, facing Hamilton Street, making this intersection an all-way STOP; and Mullen and Peralta Avenues, stopping Peralta Avenue at Mullen Avenue, making this uncontrolled intersection a two-way STOP.

(Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

9. 040003 [STOP Intersections - Various Streets]
Supervisor McGoldrick
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Lincoln Way, Martin Luther King Jr. Drive, and La Playa Street, stopping Lincoln Way, making this intersection an All-Way STOP.

Great Highway and John F. Kennedy Drive, stopping The Great Highway, making this intersection and All-Way STOP.

Fulton and La Playa Streets, stopping Fulton Street, making this intersection an All-Way STOP.

47th Avenue and Fulton Street, stopping Fulton Street, making this intersection an All-Way STOP.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Maxwell, Ammiano

10. 032007

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURNS - ESTABLISH

Octavia Frontage Road, northbound, at Haight Street;
Octavia Frontage Road, northbound, at Fell Street; and
Octavia Frontage Road, southbound, at Oak Street.

NO LEFT TURNS - ESTABLISH

Octavia Boulevard, southbound, at Market Street;
Freeway off-ramp, (Octavia Boulevard) northbound, at Market Street;
Octavia Boulevard, northbound and southbound, at Haight Street;
Octavia Boulevard, northbound and southbound, at Page Street;
Octavia Boulevard, northbound and southbound, at Oak Street;
Octavia Frontage Road, southbound, at Haight Street;
Octavia Frontage Road, northbound and southbound, at Page Street;
Octavia Frontage Road, northbound and southbound, at Oak Street; and
Octavia Frontage Road, northbound and southbound, at Fell Street.

MULTIPLE LEFT TURN LANES - ESTABLISH

Octavia Boulevard, northbound, at Fell Street.

MULTIPLE RIGHT TURN LANES - ESTABLISH

Oak Street, eastbound, at Octavia Boulevard.

RIGHT TURN ONLY - ESTABLISH

Octavia Frontage Road, southbound, at Market Street;
Waller Street, eastbound, at Market Street; and
Octavia Frontage Road, southbound, at Fell Street.

NO TURN ON RED - ESTABLISH

Haight Street, eastbound and westbound, at Octavia Boulevard;
Page Street, eastbound and westbound, at Octavia Boulevard;
Market Street, Octavia Boulevard, Freeway Intersection, all approaches; and
Oak Street, eastbound, at Octavia Boulevard.

ONE-WAY STREET - ESTABLISH

East Octavia Frontage Road, northbound, between Hayes and Market Streets;
West Octavia Frontage Road, southbound, between Hayes and Market Streets;
Lily Street, westbound, between Laguna Street and Octavia Boulevard (reverses direction);
Rose Street, eastbound, between Gough Street and Octavia Boulevard (reverses direction);
Elgin Park, southbound, between Duboce Avenue and McCoppin Street; and
McCoppin Street, eastbound, between Elgin Park and Market Street.

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH

Eastbound Oak Street at Laguna Street.

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725: No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

11. 032049 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH

Lucky Street, west side, from the north property line to the south property line of 2843 Folsom Street (a 25-foot zone across from 39 Lucky Street); and
Dolores Street, west side, from 28th Street to eight feet northerly.

NO PARKING ANYTIME - RESCIND

Ellsworth Street, west side, from the south property line of 760 Ellsworth Street to the south property line of 764 Ellsworth Street, north of Alemany Boulevard (50 feet).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Castro Street, both sides, between 23rd and Elizabeth Streets (1100 block); and
Elizabeth Street, both sides, between Castro and Noe Streets. (500 block).

ANGLE PARKING (45-DEGREE) - ESTABLISH

Oakdale Avenue, north side, from 140 feet east of 3rd Street (near Mendell Street) to Lane Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mendell Street, both sides, between Oakdale and Palou Avenues;
Riviera Street, on the eastern terminus, from the southeast corner to a point 24 feet northerly; and
Riviera Street, south side, from the terminus to a point 10 feet westerly.
Greenwich Street, east of Hyde Street, from the north curb line to 13 feet southerly and from 39 feet to the south curb line, along the terminus wall.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Harriet Street, east side, from Brannan Street to 40 feet southerly;
Oakdale Avenue, both sides, from 3rd Street to 16 feet east of Mendell Street;
Washington Street, south side, from Leavenworth Street to 10 feet westerly (replaces seven-foot red zone);
Market Street, east side, from Corbett Avenue and Portola Drive crosswalk to 550 feet northerly; and
Portola Drive, east side, from Corbett Avenue and Market Street crosswalk to 385 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 27th and Duncan Streets (portion of the 1500 block).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**RESIDENTIAL PERMIT PARKING AREA "A" AND "C" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Broadway, north side, from 13 to 240 feet east of Hyde Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hill Street, north side, between Guerrero and Valencia Streets, in front of 16 Hill Street (accommodates five unmetered motorcycle spaces);
Greenwich Street, east of Hyde Street, from 35.5 feet to 39 feet south of the north curb line, along the terminus wall, for one space;
Steiner Street, east side, between the driveways of 1000 and 1006 Steiner Street (accommodating six to seven motorcycle parking stalls);
Dolores Street, west side, from 8 feet to 22 feet north of 28th Street (accommodates four unmetered motorcycle parking spaces);
Waller Street, between the driveways of 231 and 235 Waller Street (accommodates two motorcycle parking spaces);

island, from the east end to 14 feet westerly (accommodates four unmetered motorcycle stalls), and on the south side of the island, from the east end to eight feet westerly (accommodates two unmetered motorcycle stalls).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Cesar Chavez Street, north side, from Castro Street to 400 feet easterly;
Gaven Street, north side, from west curb line of Bowdoin Street to west edge of driveway at 394 Gaven Street (80-foot zone);

Lyon Street east side, between Golden Gate Avenue and Turk Street;

Cole Street, west side, from Carmel Street to 195 feet southerly;

Greenwich Street, east of Hyde Street, from 13 feet to 39 feet south of the north curb line, along the terminus wall;

Jones Street, west side, from California Street to Pine Street;

4th Avenue, east side, between Irving Street and Parnassus Avenue;

5th Avenue, east side, between Irving Street and Parnassus Avenue;

Taylor Street, west side, between California and Pine Streets;

Mason Street, east side, between Bush and California Streets;

Dartmouth Street, west side, from Dwight Street to a point 45 feet north of Mansell Street;

Hamilton Street, west side, between Dwight and Woolsey Streets;

Barneveld Avenue, east side, from Gaven Street to Silver Avenue;

18th Street, south side, between Arkansas and Connecticut Streets;

23rd Street, south side, between Indiana and Minnesota Streets;

De Haro Street, east side, between 19th Street and Southern Heights Avenue;

De Haro Street, east side, between 22nd and 23rd Streets;

Minnesota Street, east side, between 22nd Street and terminus south of 22nd Street;

Missouri Street, west side, from 0 to 200 feet north of 17th Street;

San Bruno Avenue, east side, between 16th and 17th Streets;

Tennessee Street, east side, between 20th and 22nd Streets;

Tennessee Street, both sides, from 0 to 170 feet south of 22nd Street; and

San Bruno Avenue, both sides, from 18th to 20th Streets.

(Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

12. 040036 [Settlement of Claim - North Coast County Water District]
Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for \$86,247.48; claim was filed on August 29, 2003.

Question: Shall this Resolution be ADOPTED?

13. 040043 [Appointment]
Resolution appointing Dr. George Kozitza, term ending June 5, 2005 to the Treasury Oversight Committee. Residency requirement waived.
Dr. George Kozitza, (residency requirement waived) succeeding Sarah Hart, resigned, seat 3, must represent the Superintendent of Schools; be nominated by the San Francisco Treasurer and be confirmed by the Board of Supervisors for the unexpired portion of a four year term ending June 5, 2005

Question: Shall this Resolution be ADOPTED?

14. 040084 [Appointment]
Resolution appointing My Do, term ending April 22, 2004 to the Biosciences Task Force.
My Do, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Called from the Land Use Committee

15. 031770 [General Plan Amendments]
Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004. CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.
1/27/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 031771 [Zoning Map Amendment - Rincon Hill Area]
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.
1/27/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

17. 031772 [Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]
Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings.
(Planning Department)
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

1/27/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/27/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

18. 031985 [Appropriate funding for the Laguna Honda Hospital Replacement Program]
Mayor, Supervisors Hall, Sandoval, McGoldrick
Ordinance appropriating \$189,427,586 of General Obligation Bond proceeds, \$1,046,158 in bond interest, \$15,992,796 in tobacco settlement revenues, and \$5,072,941 of interest earnings on tobacco settlement revenue for a total of \$211,539,481 to fund the Laguna Honda Replacement Program for the Public Health Department for fiscal year 2003-04.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
19. 031986 [Laguna Honda Hospital General Obligation Bond Issuance]
Mayor, Supervisors Hall, Sandoval, McGoldrick
Ordinance providing for the issuance of not to exceed \$299,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); providing that such bonds may be issued as fixed or variable interest rate obligations; providing for the levy of a tax to pay the principal and interest of said bonds and authorizing payment of bonds from other legally available funds of the City; authorizing the execution of a Master Trust Agreement and Declaration of Trust which provide for the terms of said bonds; providing for the appointment of depositories and other agents of said bonds; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
20. 031987 [Laguna Honda Hospital General Obligation Bond Sale]
Mayor, Supervisors Hall, Sandoval, McGoldrick
Resolution authorizing and directing the sale of an issue of not to exceed \$230,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; providing that such Bonds may be sold pursuant to a competitive or negotiated sale and as fixed or variable interest rate obligations; authorizing the City's compliance with a Continuing Disclosure Certificate; approving the form and execution of an Auction Agreement, a Broker-Dealer Agreement, a Market Agent Agreement, a Bond Purchase Contract, a Remarketing Agreement, a Standby Purchase Agreement and an Official Statement; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

21. 031990 [Business Tax]
Supervisors Ma, McGoldrick
Ordinance amending the Business and Tax Regulations Code to: (1) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) conform Article 12-A (Payroll Expense Tax Ordinance) with the amendments to Article 6 (Common Administrative Provisions) and (ii) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); and (3) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review.
(Treasurer-Tax Collector)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 031598 [First Amendment to Lease of SFPUC Property for Operation of a Public Golf Course and Related Facilities]
Supervisor McGoldrick
Resolution authorizing a First Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., in San Mateo County.
(Public Utilities Commission)
(Fiscal impact; Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
23. 032011 [BART Payment for MUNI Transfer Trips]
Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2003-2004.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
24. 032028 [Lease of Real Property - 10 United Nations Plaza]
Supervisors Maxwell, McGoldrick
Resolution authorizing a lease of approximately 8,105 square feet of space at 10 United Nations Plaza for the Department of Child Support Services for a term of six years.
(Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present Supervisors McGoldrick, Maxwell, Ammiano

25. 031880 [Amending Fire Code to require self-contained breathing replenishment systems in high rise building]
Supervisors Dufty, Daly
Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after June 30, 2004.

1/13/2004, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 032052 [Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions.
(Taxi Commission)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

27. 031656 [Campaign Consultants Lobbying Current and Former Clients]
Supervisor Daly
Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

10/21/2003, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

1/13/2004, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Budget Committee

The following item will be considered by the Budget Committee at a Regular Meeting on Thursday, January 29, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

28. 040087 [2003-2004 Fiscal Year Budget for Board of Supervisors/Clerk of the Board - 7.5% Contingency Reduction]
Motion approving a proposed 7.5% contingency plan for reducing the 2003-2004 fiscal year budget for the Board of Supervisors/Clerk of the Board, and directing that the contingency plan be filed with the Mayor.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 31 through 46

31. 040089 [Board of Supervisors - Meeting Schedule]
Supervisor Gonzalez
Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, and the December 28, 2004 meetings and by canceling all Board and Committee meetings from August 18 through September 6, 2004.

1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 040096 [San Francisco City Employees' Retirement System Annual Report]
Supervisors Sandoval, Dufty
Resolution approving the printing of not more than 100 hard copies of the San Francisco City Employees' Retirement System Annual Report on an annual basis as well as posting it on the web.

1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 040110 [AIDS Quilt]
Supervisors Ammiano, Dufty
Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco and urging the Department of Real Estate to identify City-owned property that may be suitable to house the Quilt.

1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 040111 [Recognizing Nora Castañeda, President of the Women's Development Bank in Venezuela]
Supervisor Ammiano
Resolution recognizing the central role of Nora Castañeda, President of the Women's Development Bank of Venezuela (Banmujer).

1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 040112 [2004 Prevent Childhood Exposure to Violence Month]
Supervisors Ammiano, Dufty
Resolution ratifying that the Board of Supervisors declares the month of February 2004 as "Prevent Childhood Exposure to Violence Month" in the City and County of San Francisco.

1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

- 36. 040113 [Urging Comcast to advertise in support of medical marijuana]**
Supervisors Ammiano, Dufty
Resolution urging Comcast to accept political advertising in support of medical marijuana.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 040114 [Urging the Governor to consider postponing further Central Freeway touchdown ramp construction, to allow study of alternative configurations]**
Supervisor Dufty
Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 040115 [San Francisco Chinese American Veterans Recognition Day]**
Supervisors Ma, Dufty
Resolution declaring February 16, 2004 to be "San Francisco Chinese American Veterans Recognition Day".
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 39. 040116 [Lenard D. Louie Day]**
Supervisors Ma, Dufty
Resolution recognizing Lenard D. Louie's contributions to the community and declaring January 28, 2004 to be "Lenard D. Louie Day" in San Francisco.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 40. 040118 [Lunar New Year 2004]**
Supervisors Ma, Dufty
Resolution celebrating the Lunar New Year and proclaiming January 22, 2004, the first day of the Year of the Monkey.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

41. 040121 [Hospital and Nursing Home Discharge Planning Task Force]
Supervisors Ma, Dufty
Resolution adopting the findings in the Hospital and Nursing Home Discharge Planning Task Force's Final Report as submitted.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 040122 [Commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts]
Supervisors Maxwell, Dufty
Resolution commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts to increase the claiming of EITC, Child Tax Credit and other state and federal tax credits through free tax preparation assistance, as well as to link low-income families to financial education, asset development and other benefit programs
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 040123 [Black History Month - February]
Supervisors Maxwell, Dufty, Ma
Resolution recognizing the month of February as Black History Month.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 040124 [Dear Diva]
Supervisors Peskin, Ammiano, Dufty
Resolution bestowing the title of San Francisco Emissary to AIDS Orphans to Dear Diva and recognizing her past, present and future work on behalf of those orphaned by AIDS worldwide.
- 1/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 040078 [Final Map for a 9 Unit Mixed/Use Condominium Project - 1738 Lombard Street]
Motion approving Final Map of 1738 Lombard Street, A Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 495, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,629; District 2.)
- 1/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

46. 040079 [Final Map for a 6 Unit Mixed/Use Condominium Project - 3110 California Street]
Motion approving Final Map of 3110 California Street, A Mixed/Use Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1022, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,627; District 2.)

1/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

47. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 17, 2004 to January 26, 2004, for reference by President to appropriate committee on February 3, 2004.

040031 [Modification of parking regulations on portions of Mission Street]

Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street.
(Parking and Traffic Department)

1/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040032 [Modification of traffic regulations on portions of Mission Street]

Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street.
(Parking and Traffic Department)

1/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040074 [Speed Limit - Portion of Octavia Boulevard]

Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard.
(Parking and Traffic Department)

1/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040075 [Speed Limit - Portion of Octavia Frontage Road]

Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road.
(Parking and Traffic Department)

1/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040080 [Settlement of Lawsuit - Sofia Rillanos]

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos, v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid.
(City Attorney)

1/26/2004, RECEIVED AND ASSIGNED to Rules Committee.

040081 [Settlement of Lawsuit - Katherine Cox]

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/26/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 17, 2004 to January 26, 2004, for reference by President to appropriate committee on February 3, 2004.

040028 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

22nd Avenue and Pacheco Street, stopping Pacheco Street, making this intersection an All-Way STOP; and

Niagara and San Jose Avenues, stopping San Jose Avenue, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

1/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040029 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Cesar Chavez Street, north side, between Illinois and Michigan Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Donner Avenue, both sides, from Phelps Street to easterly terminus (legislates existing parking conditions); and

Pacific Avenue, south side, between Lyon Street and Presidio Avenue (legislates existing parking conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hayes Street, north side, within the nine foot curb space between the driveways of 1448 and 1450 Hayes Street, west of Broderick Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

1673 Page Street, between the driveways for 1669 and 1673 Page Street (11-foot space).

(Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

1/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040030 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

YIELD SIGN - ESTABLISH

Potrero Avenue/Cesar Chavez Street/Southbound 101 Off-Ramp at Bayshore Boulevard, southbound (eastbound).

NO TURN ON RED - ESTABLISH

Market Street, westbound, at Davis and Pine Streets.

RIGHT LANE MUST TURN RIGHT - RESCIND**RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH**

Clay Street, eastbound, at Davis Street.

RIGHT TURN ONLY - ESTABLISH

Fowler Avenue, southbound, at Teresita Boulevard.

YIELD SIGN - ESTABLISH

Teresita Boulevard, southbound, at Fowler Avenue.

NO RIGHT TURN ON RED INTO MARKET STREET - RESCIND**NO RIGHT TURN ON RED - ESTABLISH**

Castro Street, northbound, at Market Street.

NO TURN ON FLASHING RED - RESCIND**NO TURN ON RED - ESTABLISH**

Church Street, northbound, at Market Street.

(Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

1/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040033 [Settlement of Claim - Catherine Lee]

Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for \$33,000; claim was filed on September 8, 2003.; Claim No. 04-00706.
(City Attorney)

1/20/2004, RECEIVED AND ASSIGNED to Rules Committee.

040034 [Modification #6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc. at Terminal 1 of S.F. International Airport.]

Resolution approving and authorizing the execution of Modification # 6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.
(Airport Commission)

1/20/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee

- 040035** [Modification #7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc. at Terminal 1 of S.F. International Airport]
Resolution approving and authorizing the execution of Modification # 7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.
(Airport Commission)

1/20/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 040076** [Transgender cultural competency training to providers]
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$75,000 from the Department of Health and Human Services, Health Resources and Services Administration (DHHS, HRSA) for transgender cultural competency training and to enter into an agreement for the use of these funds; for the period of August 1, 2003, to July 31, 2004.
(Public Health Department)

1/22/2004, RECEIVED AND ASSIGNED to City Services Committee.

- 040082** [Gift from Cypress Lawn Funeral Home]
Resolution accepting Cypress Lawn Funeral Home's gift of goods and services to re-inter remains from the Yerba Buena Cemetery and agreeing to indemnify Cypress Lawn Funeral Home for any legal action resulting from and attributable to the provision of such goods and services.
(Medical Examiner/Coroner)

1/26/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040127 [Petitions and Communications]

Petitions and Communications received from January 17, 2004 through January 26, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 3, 2004.

From Mayor Newsom, submitting appointment of Supervisor Bevan Dufty as Acting Mayor from 7:45 a.m., January 20, 2004 until 8:00 a.m. January 23, 2004; and Supervisor Fiona Ma from 8:00 a.m. Friday January 23, 2004 until 2:56 p.m. Sunday January 25, 2004 or if delayed until Mayor Newsom returns to San Francisco. (1)

From Sue Hestor, submitting request for a two week continuance of items that were Called Out of Committee regarding Rincon Hill. Files 031770, 031771, 031772, Copy: Supervisors Dufty, Hall, Gonzalez, 2 letters (2)

From Office of the Legislative Analyst, submitting report regarding the digital divide with specific emphasis on the City and County of San Francisco's progress in addressing the digital divide. (3)

From various signators, submitting Form 700 Statement of Economic Interests: (4)
Virginia Stanley
Judson True

From Department of Aging and Adult Services, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-064) Copy: Supervisor Hall (5)

From Airport, regarding San Francisco International Airport's plans to develop the West Field Cargo project. (Reference No. 20031216-002) (6)

From Department of Administrative Services, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-013) Copy: Supervisor Hall (7)

From Adult Probation Department, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-043) Copy: Supervisor Hall (8)

From Assessor-Recorder, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-050) Copy: Supervisor Hall (9)

From Department of Building Inspection, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-054) Copy: Supervisor Hall (10)

From Department of Child Support Services, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-034) Copy: Supervisor Hall (11)

From Office of Contract Administration, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-015) Copy: Supervisor Hall (12)

From Fine Arts Museums of San Francisco, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-019) Copy: Supervisor Hall (13)

From Department of Human Services, regarding establishing an Ombudsperson or Consumer Advocate Office for disabled persons who wish to pursue grievances related to their treatment in housing. File 031279 (14)

From Police Department, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-049) Copy: Supervisor Hall (15)

From Office of the Public Defender, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-051) Copy: Supervisor Hall (16)

From Public Library, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-016) Copy: Supervisor Hall (17)

From Residential Rent Stabilization and Arbitration Board, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-020) Copy: Supervisor Hall (18)

From Department on the Status of Women, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-025) Copy: Supervisor Hall (19)

From Office of the Treasurer & Tax Collector, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-042) Copy: Supervisor Hall (20)

From War Memorial and Performing Arts Center, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-018) Copy: Supervisor Hall (21)

From Law Offices of Stephen Williams, regarding the CEQA Categorical Exemption granted by the Planning Department for a building/site permit for 899 North Point Street. File 031969 (22)

From concerned citizens, submitting opposition to proposed sidewalk tables and chairs fee increase. (23)

From Nancy Wuerfel, submitting report comparing how various issues are handled in the NAPCAC Committee Report, the Minority Report, and the status quo of the Natural Areas Program. File 031936 (24)

From Housing Authority, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-040) Copy: Supervisor Hall (25)

From Office of the Controller, submitting report concerning the audit of the department head transition at the San Francisco Police Department. (26)

From Paul McGinlay, submitting request for transfer of a liquor license from 76 Geary Street to 360

Sutter Street for Paul McGinlay dba Hector Russell Scottish Imports. (27)

From Brian Sheehy, submitting request for an on-sale general liquor license for Brian Sheehy dba Electrocelt Promotions at 561 Geary Street. (28)

From concerned citizens, submitting opposition to rebuilding the Central freeway over Mission Street and Valencia Street to Market Street. (29)

From Department of Human Resources, submitting report listing the economic grievance settlements approved pursuant to Section 10.25-12 of the Administrative Code for the quarter October 1, 2003 - December 31, 2003. (30)

From Cingular Wireless, submitting notification letter for a CPUC Cell Site for 550 Cal Parking at 550 California Street. (31)

From Abdalla Megahed, submitting copy of letter sent to Acting Chief of Police Heather Fong regarding her recent appointment. (32)

From Rincon Hill Residents Association, submitting request for a two week continuance (February 10, 2004) of public hearing on 300 Spear Street and 201 Folsom Street. (33)

From Japantown Task Force, Inc., submitting copy of request sent to Municipal Transportation Authority for inclusion on the Municipal Railway Map and Destination Signs. (34)

From Department of Public Health, submitting quarterly AIDS cases reported through December 2003. (35)

From Peter and Donna Streitz, submitting support for Conditional Use Application on property located at 1160 Mission Street. (36)

From Municipal Railway, submitting notice pursuant to Section 23 of the 2004 Annual Appropriation Ordinance that there are no items that are projected to exceed the fiscal year appropriation in Muni's operating fund. (37)

From John Stevens, commenting on appointment of Heather Fong as Acting Police Chief and former Police Chief Alex Fagan being transferred to the Office of Emergency Services. (38)

From Marilyn Amini, submitting request for continuance of Board File 032026 regarding amendments to fees charged by the Clerk of the Board for 30 days pursuant to Board Rule No. 5.40. (39)

From California Integrated Waste Management Board, regarding proposed regulations for local enforcement agency certification requirements for technical expertise. (40)

From Ed Decker, submitting request for a type 64 liquor license for the New Conservatory Theatre Center at 25 Van Ness Avenue. (41)

From Golden Gate Bridge Highway and Transportation District, submitting annual report for fiscal year 2002/03 for the Golden Gate Bridge Highway and Transportation District. (42)

From Tishman Speyer Properties and Union Property Capital, regarding their commitment to increasing the amount of affordable housing produced in San Francisco including the 201 Folsom Street/300 Spear Street Projects. Copy: Each Supervisor (43)

From City of Oakland, Office of the City Attorney, submitting notice (pursuant to Public Resources Code Section 21167.6.5) that the City of Oakland v. City of Alameda (Alameda Superior Court Case No. RG-03133599) Alameda Point General Plan Amendment and Environmental Impact Report. (44)

From S.F. Convention Facilities, submitting copy of letter sent to Department of Telecommunications and Information Services regarding potential marketing and promotional enhancement to the City and County of San Francisco. (45)

From James Chaffee, submitting results of the priority setting exercise that was undertaken by Mayor Newsom's Transition Team. Copy: Each Supervisor (46)

From Recreation and Park Department, submitting letter of support for resolution approving a fiscal cost sharing agreement with the U.S. Army Corps of Engineers in trying to resolve the erosion issues impacting Ocean Beach, south of Sloat Boulevard. Files 040056, Copy: Supervisors Peskin, Sandoval, McGoldrick (47)

From Rincon Tenants Association, urging the Board to consider lowering the height of the proposed residential project at 201 Folsom and 300 Spear Streets that will be built closest to the bay. File 031770, Copy: Supervisors McGoldrick, Maxwell, Ammiano (48)

From Department of Human Services, submitting Draft Implementation Plan for the new CAAP Benefit Package (the "Care Not Cash" initiative approved by voters in November 2002) as well as three related ordinances approved by the Board of Supervisors. Files 030848, 030871, 030737, 031238, Copy: Each Supervisor (49)

From Office of the Treasurer & Tax Collector, submitting quarterly report for the Bureau of Delinquent Revenue for the period of October 1, 2003 through December 31, 2003. (50)

From Reuben & Alter LLP, requesting the Board reconsider their decision that appeal of Final Negative Declaration for 701 Lombard Street was timely filed. Copy: Each Supervisor (51)

From John Di Meo, submitting opposition to the proposed closure of the Castro/Mission Health Center. (52)

From Leboriae Smoore, commenting on alleged police brutality in San Francisco. Copy: Each Supervisor (53)

From California Public Utilities Commission, submitting notice of application for an electric rate increase for replacement of unit 1 and unit 2 steam generators at the Diablo Canyon Nuclear Power Plant. (54)

From concerned citizens, requesting the budget staff undertake an analyst comparing General Fund support reductions over the prior five years in the Recreation and Parks Department budget with those sustained by other city departments, and what comprised those reductions. Copy: Each Supervisor (55)

From concerned citizens, commenting on proposed resolution urging the California State Legislature to pass legislation to "modernize" laws related to alcohol closing hours. Copy: Each Supervisor (56)

From Terry Carlitz, regarding proposed residential projects at 201 Folsom and 300 Spear Streets. File 040072 (57)

From concerned citizens, commenting on proposed legislation regarding health inspection ratings for restaurants Copy: Each Supervisor (58)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

FEB - 6 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 10, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma

1. 032044 **[Liquor License Transfer, 60 Dorman Avenue]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 144 King Street to 60 Dorman Avenue (District 10), to Mats Engstrom for Tsar Nicoulai Caviar, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

2. 032046 **[Liquor License Transfer, 447 Broadway Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 839 Howard Street to 447 Broadway Street (District 3), to Isaac Lee for a lounge/bar establishment, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

3. 040017 **[Accept-Expend State Grant]**
Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$413,323 from the California Governor's Office of Emergency Services for emergency response equipment.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

4. 031985 **[Appropriate funding for the Laguna Honda Hospital Replacement Program]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty
Ordinance appropriating \$189,427,586 of General Obligation Bond proceeds, \$1,046,158 in bond interest, \$15,992,796 in tobacco settlement revenues, and \$5,072,941 of interest earnings on tobacco settlement revenue for a total of \$211,539,481 to fund the Laguna Honda Replacement Program for the Public Health Department for fiscal year 2003-04.
(Fiscal impact.)
- 2/3/2004, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
5. 031986 **[Laguna Honda Hospital General Obligation Bond Issuance]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty
Ordinance providing for the issuance of not to exceed \$299,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); providing that such bonds may be issued as fixed or variable interest rate obligations; providing for the levy of a tax to pay the principal and interest of said bonds and authorizing payment of bonds from other legally available funds of the City; authorizing the execution of a Master Trust Agreement and Declaration of Trust which provide for the terms of said bonds; providing for the appointment of depositories and other agents of said bonds; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Fiscal impact.)
- 2/3/2004, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

6. 031990 [Business Tax]
Supervisors Ma, McGoldrick
Ordinance amending the Business and Tax Regulations Code to: (1) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) conform Article 12-A (Payroll Expense Tax Ordinance) with the amendments to Article 6 (Common Administrative Provisions) and (ii) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); and (3) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review.
(Treasurer-Tax Collector)

2/3/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

7. 032052 [Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions.
(Taxi Commission)
(No Public Benefit Recipient.)

2/3/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 031880 [Amending Fire Code to require self-contained breathing replenishment systems in high rise building]

Supervisors Dufty, Daly, Hall, Peskin, Ma

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after March 30, 2004.

1/13/2004, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing same title.

2/3/2004, AMENDED. Supervisor Dufty, seconded by Supervisor Hall, moved to amend on page 1, line 5, by replacing "June 30, 2004" with "March 30, 2004." New Title

2/3/2004, PASSED ON FIRST READING AS AMENDED. Supervisors Hall, Peskin and Ma requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

9. 031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisors Daly, Ammiano
Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.
- 10/21/2003, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.
- 1/13/2004, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.
- 2/3/2004, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.
- Question: Shall this Ordinance be FINALLY PASSED?**
10. 031989 **[Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall
Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.
- 1/13/2004, AMENDED.
- 1/13/2004, PASSED ON FIRST READING AS AMENDED.
- 1/27/2004, AMENDED. Amended on page 1, after "conveyance of" by inserting "fee title to"; and on page 2, by adding last paragraph "failure to comply with these notice requirements shall not invalidate conveyance of such property"
- 1/27/2004, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

11. 040135 [Adopting findings related to the conditional use appeal on property located at 1160 Mission Street]
- Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street (Lots 37, 38 and 56 in Assessor's Block 3702).
- (Clerk of the Board)
- (Companion measure to Files 040045, 040046, 040047, 040048, 040049.)

2/4/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell, Peskin

12. 032026 **[Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]**
Ordinance amending Section 8.37 of the San Francisco Administrative Code to add new fees and repeal other fees charged by the Clerk of the Board of Supervisors, including new fees for copies of audio tape recordings of Board and Committee meetings; providing for an annual adjustment by the Controller based on the CPI.
(Clerk of the Board)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

13. 040006 **[Grant - Recreation and Park, \$154,020]**
Mayor, Supervisors Hall, Dufty
Resolution authorizing the Recreation and Park Department to accept and expend a grant from the Land and Water Conservation Funds in the amount of \$154,020 for the renovation of McLaren Park, Yosemite Creek and Marsh.

Question: Shall this Resolution be ADOPTED?

14. 040010 **[Grant - Recreation and Park, \$4,742,243]**
Mayor, Supervisors Hall, Dufty
Resolution authorizing the San Francisco Recreation & Park Department to accept and expend funds available under The Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 in the amount of \$4,742,243.

Question: Shall this Resolution be ADOPTED?

15. 040011 **[State Grant - Recreation and Park, \$5,651,000]**
Mayor, Supervisors Hall, Dufty
Resolution authorizing the San Francisco Recreation and Park to accept and expend State Grant Funds under the Per Capita Grant Program in the total amount of \$5,651,000 from the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 to funding the following projects: Harding Park Club House, \$3,500,000; Harvey Milk Center, \$1,800,000; Chinese Recreation Center, \$126,000; Minnie and Lovie Ward Recreation Center, \$125,000; and Geneva Office Building/Car Barn, \$100,000.

Question: Shall this Resolution be ADOPTED?

16. 040012 [State Grant - Recreation and Park, \$32,673,000]
Mayor, Supervisors Hall, Dufty
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of \$32,673,000 for following Golden Gate Park projects: Bison Paddock, \$800,000; Children's Quarters Playground, \$1,000,000; Kezar Pavilion Planning and Studies, \$867,000; Concourse Institutions (Academy of Science, \$3,000,000 and DeYoung Museum, \$2,000,000); McLaren Lodge, \$7,000,000; Music Concourse, \$7,050,000; RPD GGP Projects, \$818,000; Park Aid Station, \$1,155,000; Portals of the Past, \$100,000; Rhododendron Dell, \$600,000; Signage for GGP, \$100,000; South and Middle Lakes, \$3,000,000; Stables, \$1,400,000; Strybing, \$3,000,000; and Urban Forestry Yard, \$783,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

17. 030677 [Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]
Supervisor Peskin
Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.
(Fiscal impact.)

11/18/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

1/13/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Sandoval, McGoldrick

18. 031609 [Authorizing an alternative procedure for establishing property and business improvement districts]
Supervisor Peskin
Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 15 years; authorizing such districts to encompass and assess residential property; authorizing such districts to recover start-up costs through assessments; authorizing the Board of Supervisors to disestablish a district without cause upon a supermajority vote of the Board; requiring a minimum level of representation by business owners on the governing body of the proposed district; requiring that the Clerk of the Board notify business owners in English, Spanish and Cantonese when a petition for district formation is received; making technical corrections to Sections 1534 and 1535, repealing existing Sections 1513 through 1533 and 1540 through 1591, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 031974 **[Establishing Monthly Contribution Amount]**
Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Human Resources Department)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
20. 031981 **[Reimbursement Resolution]**
Mayor
Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith.

Question: Shall this Resolution be ADOPTED?
21. 031984 **[Appropriate interest earned from the Educational Facilities Bond - 1997, Series - 1999A and Series 2000A to pay for the 75-year ground lease of 106 Bartlett Street]**
Mayor
Ordinance appropriating \$4,400,000 of interest earned from the Educational Facilities Bond - 1997 - series 1999A and 2000A used to pay for the seventy - five year ground lease for the City College of San Francisco Mission Campus and related costs for the San Francisco Community College District for fiscal year 2003-04.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 040020 **[Airport Concession Lease]**
Resolution approving Amendment No. 4 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick
23. 031884 **[Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program]**
Mayor
Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$2,600,000, which includes indirect costs of \$30,000.
(No Public Benefit Recipient.)

12/16/2003, RE-REFERRED to Finance and Audits Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.**

24.

031551 [Eminent Domain - Resolution of Necessity - 701 Lombard Street]

Supervisor Peskin

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

10/7/2003, CONTINUED. Continued to October 21, 2003 at 4:00 p.m.

10/21/2003, CONTINUED. Continued to November 25, 2003

11/25/2003, CONTINUED. Supervisor Peskin, seconded by Supervisor Ammiano, moved to continue this matter to December 16, 2003.

12/16/2003, CONTINUED. Continued to January 13, 2004

1/13/2004, CONTINUED. Continued to February 10, 2004

Question: Shall this Resolution be ADOPTED?

APPEAL PROCEDURE

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

SPECIAL ORDER 4:00 P.M.**25. 031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)
(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

1/13/2004, CONTINUED. Continued to January 27, 2004

1/27/2004, CONTINUED. Continued to February 10, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

26. 031970 [Affirming the categorical exemption issued for 899 North Point Street]
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/13/2004, CONTINUED. Continued to January 27, 2004
1/27/2004, CONTINUED. Continued to February 10, 2004
Question: Shall this Motion be ADOPTED?
27. 031971 [Disapproving the categorical exemption issued for 899 North Point Street]
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/13/2004, CONTINUED. Continued to January 27, 2004
1/27/2004, CONTINUED. Continued to February 10, 2004
Question: Shall this Motion be ADOPTED?
28. 031972 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/13/2004, CONTINUED. Continued to January 27, 2004
1/27/2004, CONTINUED. Continued to February 10, 2004
Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 5:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 040152.)

29. 040151 [Hearing - Police Department]
Hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.
(Clerk of the Board)
- Action: _____

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the City Services Committee

The following item will be considered by the City Services Committee at a Regular Meeting on Thursday, February 5, 2004 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

30. 040057 [State law change related to alcohol closing hours]

Supervisor Peskin

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

1/27/2004, REFERRED to City Services Committee. Supervisor Maxwell requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee

The following items will be considered by the Land Use Committee at a Regular Meeting on Monday, February 9, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

31. 031739 [Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]

Supervisors Daly, Maxwell

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 040019 [Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]

Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

35. 040150 [Legislative Analyst Request - Waterfront Security]

Supervisor Alioto-Pier

Motion requesting the Legislative Analyst to research and evaluate the programs and systems used by similar waterfront cities in North America to ensure waterfront security. Specifically examine Boston, Vancouver, New York City, Seattle, Portland, and Baltimore.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 43

36. 040152 [Committee of the Whole - Violence in the Southeast Sector of the City]

Supervisors Maxwell, Daly, Duffy, Hall

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.

2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

37. 040153 **[Urging support for the transfer of vacant properties on High Street Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from DPW to Recreation and Park Department]**
Supervisor Dufty
Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 040154 **[Urging Rejection of Lease Extension Option for Premises at 2350 19th Avenue]**
Supervisor Hall
Resolution urging the City's Director of Property to reject the Tenant's notice to extend the term of the Lease for the Premises at 2350 19th Avenue.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 040155 **[Entertainment Commission]**
Supervisor Maxwell
Resolution urging the Entertainment Commission to prioritize their efforts to educate and outreach to both promoters and operators of cultural, entertainment, athletic and similar events and establishments throughout the City about the regulations and policy surrounding the permitting process.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 040156 **[William Alexander Leidesdorff, Jr.]**
Supervisors Maxwell, Dufty
Resolution recognizing William Alexander Leidesdorff, Jr. as the African Founding Father of California.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 040157 **[Creating City Website for Canadian Pharmacies]**
Supervisor Peskin
Resolution urging the Department of Public Health to develop a list of approved Canadian pharmacies and to develop an online resource to educate San Francisco residents about how to safely import pharmaceuticals from Canadian pharmacies.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

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Motion requesting the Legislative Analyst to research and evaluate the programs and systems used by similar waterfront cities in North America to ensure waterfront security. Specifically examine Boston, Vancouver, New York City, Seattle, Portland, and Baltimore.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 43

36. 040152 [Committee of the Whole - Violence in the Southeast Sector of the City]

Supervisors Maxwell, Daly, Dufty, Hall

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.

2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

37. 040153 **[Urging support for the transfer of vacant properties on High Street Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from DPW to Recreation and Park Department]**
Supervisor Dufty
Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.
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Supervisor Maxwell
Resolution urging the Entertainment Commission to prioritize their efforts to educate and outreach to both promoters and operators of cultural, entertainment, athletic and similar events and establishments throughout the City about the regulations and policy surrounding the permitting process.
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Question: Shall this Resolution be ADOPTED?
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Question: Shall this Resolution be ADOPTED?
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Supervisor Peskin
Resolution urging the Department of Public Health to develop a list of approved Canadian pharmacies and to develop an online resource to educate San Francisco residents about how to safely import pharmaceuticals from Canadian pharmacies.
- 2/3/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

42. 040158 [Nathan Ratner]
Supervisor Peskin
Resolution declaring Nathan Ratner a living treasure of San Francisco.
- 2/3/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
43. 040140 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 2/3/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so unperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 27, 2004 through February 2, 2004, for reference by President to appropriate committee on February 10, 2004.

040131 [Settlement of Lawsuit - Michelle Asami]

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

2/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 27, 2004 through February 2, 2004, for reference by President to appropriate committee on February 10, 2004.

040128 [Provide supportive services to newly housed people with disabilities]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a grant in the amount of \$699,028 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide supportive services to newly housed people with disabilities and to enter into an agreement for the use of these funds: for the period of September 30, 2003 to September 29, 2004.
(Public Health Department)

1/29/2004, RECEIVED AND ASSIGNED to City Services Committee.

040129 [Reduce sexual risk for HIV transmission in substance using men who have sex with men]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$130,866 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 30, 2003, to September 29, 2004.
(Public Health Department)

1/27/2004, RECEIVED AND ASSIGNED to City Services Committee.

040130 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway.
(Municipal Transportation Agency)

1/27/2003, RECEIVED AND ASSIGNED to Land Use Committee.

040132 [Settlement of Claim - Larry Oldham]

Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for \$75,000, claim was filed on May 22, 2003.
(City Attorney)

2/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

040133 [Onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS]

Resolution authorizing the San Francisco Department of Public Health, Tom Waddell Health Center (SFPDH, TWHC) to enter retroactively into an agreement with the Tenderloin AIDS Resource Center (TARC) the primary contractor, and expend funds in the amount of \$597,710 to provide onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS; for the period of September 29, 2003 to March 31, 2007.
(Public Health Department)

2/2/2004, RECEIVED AND ASSIGNED to City Services Committee.

040179 [Petitions and Communications]

Petitions and Communications received from January 27, 2004 through February 2, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 10, 2004.

From Public Utilities Commission, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-008) Copy: Supervisor Hall (1)

From Sunshine Ordinance Task Force, submitting notice that the Board of Supervisors is in violation of Sunshine Ordinance Sections 67.7(a) and 67.7(b), specifically File #031545 (Edgehill Park) because the subject property was discussed and action was taken by the Board on the above legislation that were not identified by street address, cross-street or other distinctive landmarks. Identification by real estate block and lot numbers did not adequately apprise the public of the actual location of the properties and the public could not reasonably determine if the subject matter would be of interest to them. (2)

From Department of Human Services, submitting list of all the Single-Adult and Family Shelters in San Francisco. Copy: City Services Committee (3)

From Port, submitting budget report for the second quarter of fiscal year 2003-04. Copy: Each Supervisor (4)

From Police Department, submitting information regarding pedestrian accidents, jaywalking tickets and hit and run accidents in the Ingleside District from 1998-2002. Copy: Supervisor Hall (5)

From Board of Appeals, submitting notice that the Board of Appeals annual report for fiscal year 2002/03 is available for viewing and/or printing on the City's website at www.sfgov.org/boa. (6)

From Law Library, regarding quarterly budget status report. (7)

From Office of the Sheriff, submitting quarterly budget status report with expenditures that exceed its General Fund budget in three areas. (8)

From Comcast Communications Inc., submitting notice of rescheduled date (March 17, 2004) for programming adjustment to add the Starz! Kids channel to Comcast Digital cable service. (9)

From Department of Human Services, submitting quarterly update for the Human Services Care Fund. (10)

From Greg O'Flynn, submitting request for a premise to premise transfer of a type 20 off sale beer and wine license, and also for an original type 42 on sale beer and wine license for California Wine Merchant at 2113 Chestnut Street. (11)

From East Mission Improvement Association, commenting on proposed changes to the Discretionary Review Policy, including additional steps to be considered. Copy: Each Supervisor (12)

From Fire Department, submitting notice of annual inspection relative to fire and life safety issues for County Jail No. 1 at 850 Bryant Street, 6th Floor on January 14, 2004. (13)

From Office of the Controller, submitting notice that the Department of Public Works conducted public hearings on proposal to increase fees for issuance of Underground Vault Encroachment Permits. (14)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from

Environmental Review for proposed ordinance regarding Residential Demolition Controls in San Francisco. File 031739, Copy: Each Supervisor (15)

From Department of Public Works, submitting quarterly report for the Department of Public Works Detective Sidewalk Repair Revolving Account for the period October 1, 2003 through December 31, 2003. (16)

From PG&E, submitting report which provides the names and address of accounts delinquent over 90 days. (17)

From Marcia Sterkel, submitting opposition to proposed legislation regarding the Housing Element of the General Plan. File 030828 (18)

From State Board of Equalization, submitting notice of proposed regulatory action regarding adoption of property tax rule that limits liability companies as qualifying organizations for the welfare exemption. (19)

From Bluewater Network, submitting copy of letter sent to the Director of the Maritime Port thanking him for his efforts in organizing the two-day cruise ship workshop on January 22 and 23, that was sponsored by the Cruise Ship Terminal Environmental Advisory Committee. (20)

From Anthony Byrd, commenting on the consistently sub par customer service that he regularly receives from the Muni Metro Service Booth attendants. Copy: Each Supervisor (21)

From Alison Miller, concerning the danger to homes at 135 Valencia Street from the cranes working on the Central Freeway replacement/widened ramp project. File 030638 (22)

From Judith Patterson, submitting her opposition to building a 20 thousand square foot restaurant on the Rincon Park site area that encompasses the entire open space area between Harrison and Howard Streets along the shoreline of the Embarcadero. File 040072 (23)

From Anile Woods, commenting that the area in front of the Safeway on Market and Church Streets has become a homeless encampment. (24)

From Tishman Speyer Properties and Union Property Capital, responding to procedural concerns raised by Sue Hestor in her letter dated January 23, 2004, regarding proposed General Plan and Zoning Amendments for 201 Folsom Street/300 Spear Street (Rincon Hill). File 040072 (25)

From concerned citizens, submitting support for proposed legislation prohibiting the demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition require substantial rehabilitation. File 031739 (26)

From Trutanich, Michel, LLP, submitting additional code sections that should be repealed along with the ones already identified as obsolete in the Police Code regarding firearms. File 031932, Copy: Each Supervisor (27)

From Coalition for San Francisco Neighborhoods, submitting copy of letter sent to the Planning Commission regarding Discretionary Review; the adoption of a policy to create a pre-application process for all new construction and certain expansion applications in RH and RM Districts and to establish criteria for administrative discretionary review. Copy: Each Supervisor (28)

From Rincon Tenants Association, submitting opposition to the size of the proposed restaurant to be built at Rincon Park. File 040772 (29)

From Ester Honda, submitting opposition to proposed residential towers at 201 Folsom and 300 Spear Streets. File 031627, Copy: Each Supervisor (30)

From concerned citizens, commenting on the proposal to rename the SBC Park playing grounds as "Mays Field". File 040063, Copy: Each Supervisor (31)

From concerned citizens, submitting opposition to proposal to build a parking garage (with 504 spaces) at the 1160 Mission Street project. (32)

From Meghan Fonash, submitting her concern with the slippery stairwells at Muni Metro Stations and requesting something be done to decrease the number of accidents there. (33)

From James Chaffee, submitting his concern with various aspects of the New Main Public Library. Copy: Each Supervisor (34)

From David Baker, submitting support for the proposed Housing Element. (35)

From Marilyn Crosman, submitting opposition to the proposed increase in Green Fees for Harding, Lincoln and Sharp Park. (36)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

February 5, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Charter Amendment amending Sections A8.509 and A8.587 relating to retirement benefits for miscellaneous officers and employees	040009	Rules Committee	Supervisor Sandoval	1/6/04	2/6/04
Ordinance amending SF Health Code grading of food preparation and service establishments	040092	City Services Committee	Supervisor Daly, Ammiano	1/27/04	2/27/04
Ordinance repealing SF Administrative Code repealing Chapter 38.1-15) and enacting a new Transit Impact Development Fee	040141	Land Use Committee	Supervisor McGoldrick	2/3/04	3/4/04
Ordinance amending Planning Code relating to basic floor area ration limit for C-M Zoning districts	041044	Land Use Committee	Supervisor Daly	2/3/04	3/4/04
Ordinance amending SF Admin Code adding Chapter 28 relating the Board of Supervisors review of a proposed project	040146	Rules Committee	Supervisor Peskin	2/3/04	3/4/04
Ordinance amending General Plan to change height and build classification in connection with Downtown Housing Demonstration Special	040147	Land Use Committee	Supervisor Peskin	2/3/04	3/4/04

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

FEB 20 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 24, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Duffy, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Duffy, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 PM

Wednesday

9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 27, 2004 and February 3, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell, Peskin

1. 032026 [Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]
Ordinance amending Section 8.37 of the San Francisco Administrative Code to add new fees and repeal other fees charged by the Clerk of the Board of Supervisors, including new fees for copies of audio tape recordings of Board and Committee meetings; providing for an annual adjustment by the Controller based on the CPI.
(Clerk of the Board)

2/10/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

2. 040070 **[Accept-Expend State Grant]**
Supervisor Ma
Resolution authorizing the Recreation and Park Department to accept and expend a Recreational Trails Program grant in the total amount of \$220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.
- Question: Shall this Resolution be ADOPTED?
3. 040076 **[Transgender cultural competency training to providers]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$75,000 from the Department of Health and Human Services, Health Resources and Services Administration (DHHS, HRSA) for transgender cultural competency training and to enter into an agreement for the use of these funds; for the period of August 1, 2003 to July 31, 2004.
(Public Health Department)
- Question: Shall this Resolution be ADOPTED?
4. 040103 **[Grant Application - Dept. of the Environment Grant]**
Supervisor Dufty
Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$261,961 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.
- Question: Shall this Resolution be ADOPTED?
5. 040128 **[Provide supportive services to newly housed people with disabilities]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$699,028 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide supportive services to newly housed people with disabilities and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004.
(Public Health Department)
- Question: Shall this Resolution be ADOPTED?

6. 040129 [Reduce sexual risk for HIV transmission in substance using men who have sex with men]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$130,866 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 30, 2003 to September 29, 2004.
(Public Health Department)
- Question: Shall this Resolution be ADOPTED?
7. 040133 [Onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health, Tom Waddell Health Center (SFPDH, TWHC) to enter retroactively into an agreement with the Tenderloin AIDS Resource Center (TARC) the primary contractor, and expend funds in the amount of \$597,710 to provide onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS; for the period of September 29, 2003 to March 31, 2007.
(Public Health Department)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

8. 031609 [Authorizing an alternative procedure for establishing property and business improvement districts]
Supervisor Peskin
Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 15 years; authorizing such districts to encompass and assess residential property; authorizing such districts to recover start-up costs through assessments; authorizing the Board of Supervisors to disestablish a district without cause upon a supermajority vote of the Board; requiring a minimum level of representation by business owners on the governing body of the proposed district; requiring that the Clerk of the Board notify business owners in English, Spanish and Cantonese when a petition for district formation is received; making technical corrections to Sections 1534 and 1535, repealing existing Sections 1513 through 1533 and 1540 through 1591, and making environmental findings.
- 2/10/2004, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

9. 031984 [Appropriate interest earned from the Educational Facilities Bond for the 75-year ground lease of 106 Bartlett Street]
Mayor
Ordinance appropriating \$4,400,000 of interest earned from the Educational Facilities Bond - 1997 - series 1999A and 2000A used to pay for the seventy - five year ground lease for the City College of San Francisco Mission Campus and related costs for the San Francisco Community College District for fiscal year 2003-04.
(Fiscal impact.)

2/10/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 040015 [Lease of Real Property - 70 Oak Grove Street]
Supervisors Sandoval, Peskin, McGoldrick
Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?
11. 040091 [Lease of Real Property - 1315 and 1319 Evans Avenue]
Supervisor Maxwell
Resolution authorizing a lease of approximately 1,128 square feet of space at 1315 and 1319 Evans Avenue for the Department of Child Support Services for a term of five years.

Question: Shall this Resolution be ADOPTED?
12. 040082 [Gift from Cypress Lawn Funeral Home]
Resolution accepting Cypress Lawn Funeral Home's gift of goods and services to re-inter remains from the Yerba Buena Cemetery and agreeing to indemnify Cypress Lawn Funeral Home for any legal action resulting from and attributable to the provision of such goods and services.
(Medical Examiner/Coroner)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Duffy, Gonzalez

13. 040080 [Settlement of Lawsuit - Sofia Rillanos]
Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 040081 [Settlement of Lawsuit - Katherine Cox]
Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 040131 [Settlement of Lawsuit - Michelle Asami]
Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 040132 [Settlement of Claim - Larry Oldham]
Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for \$75,000, claim was filed on May 22, 2003.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Dufty

17. 040033 [Settlement of Claim - Catherine Lee]
Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for \$33,000; claim was filed on September 8, 2003.; Claim No. 04-00706.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Dufty, Gonzalez

18. 040120 [Appointment - Biosciences Task Force]
Resolution appointing Gregory Stewart, term ending April 22, 2004 to the Biosciences Task Force. Residency requirement waived.

Question: Shall this Resolution be ADOPTED?

19. 040126 [Appointment - Biosciences Task Force]
Resolution appointing Scott Ogus, term ending April 22, 2004 to the Biosciences Task Force.

Question: Shall this Resolution be ADOPTED?

20. 040176 [Appointment - Treasure Island Authority Citizens Advisory Board]
Resolution appointing Stephen Matton, Charles Higgins and Suzanne Kim, terms ending January 1, 2005 to the Treasure Island Authority Citizens Advisory Board.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

21. 040200 [Adopting findings related to the categorical exemption issued for 899 North Point Street]
Motion adopting findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 031969, 031970, 031971, 031972.)

2/12/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

22. 030677 [Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]
Supervisor Peskin
Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.
(Fiscal impact.)
Supervisor Sandoval dissenting in Committee.

11/18/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

1/13/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

2/10/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

23. 031739 **[Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisors Daly, Maxwell, Ammiano
Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

2/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell

24. 040088 [2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board]
Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board located in Board File No. 032023, and directing that it be filed with the Mayor.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

25. 040055 [Fees for regulation of mobile storage containers on the public right-of-way]
Supervisor Peskin
Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 032027 [Adopting the recommendations of the City Non-Profit Contracting Task Force]
Supervisors Maxwell, Dufty, Ma
Resolution adopting the recommendations of the City Non-Profit Contracting Task Force.

Question: Shall this Resolution be ADOPTED?

27. 031967 [Liquor License Transfer, 500 Divisadero Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 901 Geneva Avenue to 500 Divisadero Street (District 5), to Leila K. Fakouri dba Madrone Lounge, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

28. 040016 **[Liquor License Transfer, 1028 Geary Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 3653 Buchanan Street to 1028 Geary Street (District 6), to Neeraj Gore for Lunar Productions LLC, dba "Element" bar and lounge, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

29. 040023 **[Public Auction of tax-defaulted real property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

30. 040056 **[Cost sharing agreement to address Ocean Beach erosion issues]**
Mayor, Supervisors Ma, Hall, McGoldrick
Resolution approving a Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Annunzio

31. 031879 [Residential Rent Ordinance-Keys]

Supervisor Daly

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

32. 030423 [Establishing the powers and duties of the Small Business Commission]

Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election. (No fiscal impact; Companion measure to File 030426.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 031920 [Appointment - Small Business Commission]

Motion appointing Michael O'Connor, David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

Question: Shall this Motion be ADOPTED?

Present: Supervisors Hall, Dufty

34. 031934 [City-owned cars assigned to the District Attorney]

Supervisors Peskin, Dufty

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Dufty, Gonzalez

35. 031937 [City Hall - City Hall Preservation Advisory Commission]

Supervisors Peskin, Hall, Dufty

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 040104 [Power Plant Task Force]

Supervisor Maxwell

Resolution modifying the Power Plant Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Gonzalez

37. 032004 [Support HR 3171 and SB 1552]

Supervisors McGoldrick, Gonzalez

Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.

12/16/2003, REFERRED to Rules Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**38. ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 56**40. 040201 [Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]
Supervisors Annuniano, Dufty**

Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**41. 040202 [California Youth Authority]
Supervisors Annuniano, Maxwell, Daly, Sandoval, McGoldrick, Ma**

Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 040203 [Urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month, and reaffirming S.F.'s commitment to diversity]
Supervisor Daly
Resolution urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month pending review by the Library Commission and Human Rights Commission of the appropriateness and compatibility of this exhibit, and reaffirming the City and County of San Francisco's commitment to racial and ethnic diversity.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 040204 [Commending Chris Cunnie]
Supervisors Duffy, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval
Resolution commending Officer Chris Cunnie for his leadership and dedication to the San Francisco Police Officers' Association, for serving as its President for seven years, forging positive community relationships throughout San Francisco, and for improved working conditions.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 040205 [Commending Log Cabin Ranch School]
Supervisors Maxwell, Ma, Duffy, Alioto-Pier
Resolution commending Log Cabin Ranch School and urging the Mayor's office of Budget to ensure resources remain available to allow for the continued vitality of this critical program.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 040206 [Commending Dr. Dorothy Height]
Supervisors Maxwell, Duffy
Resolution commending Dr. Dorothy Height and declaring February 15, 2004 "Dr. Dorothy Height Day" in the City and County of San Francisco.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 040207 [Recognizing February 15-21, 2004 as National Black Family Technology Awareness Week]
Supervisors Maxwell, Duffy
Resolution recognizing February 15-21, 2004 as National Black Family Technology Awareness Week and commending IBM, the Career Communications Group and its local partners at the San Francisco Unified School District and Zeum in hosting forums to highlight this issue.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

47. 040208 [Extending the term of the Biosciences Task Force to October 22, 2004]
Supervisor Maxwell
Resolution extending the term of the Biosciences Task Force from April 22, 2004 to October 22, 2004.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
48. 040209 [Alan O. Friedland Pump]
Supervisor Peskin
Resolution urging the San Francisco Public Utilities Commission to name the North Shore Pump Station The Alan O. Friedland Pump Station in honor of Mr. Friedland's many contributions to the City and County of San Francisco and designate February 27, 2004 as Alan O. Friedland Day.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
49. 040210 [Proposition K Transition Plan Call for Projects]
Supervisor Sandoval
Resolution urging the City's Department of Parking and Traffic, the Department of Public Health, the Police Department and other relevant departments and agencies to apply for funding under the Proposition K Transition Plan.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
50. 040211 [Commending Dr. Raymond K.Y. Li]
Supervisors Sandoval, Ma, Dufty
Resolution commending Dr. Raymond K.Y. Li for his contributions to health services for the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
51. 040212 [Commending Ross Shoaf]
Supervisor Sandoval
Resolution commending Ross Shoaf for his tireless efforts to improve the flow of traffic and his work on other transportation issues within San Francisco, and for extending his talents to other metropolitan areas.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

52. 040214 [Commending Thomas Ng]
Supervisors Sandoval, Ma, Dufty
Resolution commending Thomas Ng for his numerous contributions to the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 040180 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
(Clerk of the Board)
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
54. 040185 [Extending Time for Negotiations]
Supervisor Peskin
Motion extending time for negotiations pursuant to Charter Section 11.100.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
55. 040198 [Final Map for a 29 Unit a Commercial/Residential Condominium Project - 900 Van Ness Avenue]
Motion approving Final Map of 900 Van Ness Avenue, a Commercial/ Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 718 and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,664; District 6.)
- 2/12/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
56. 040199 [Final Map for a 12 Unit Mixed/Use Condominium Project - 800 Innes Avenue]
Motion approving Final Map of 800 Innes Avenue, a Mixed/Use Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4645, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,653; District 10.)
- 2/12/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

57. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 3, 2004 to February 13, 2004, for reference by President to appropriate committee on February 24, 2004.

040137 [Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]

Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

2/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040138 [Mission Bay – Owens Street and 16th Street Acceptance]

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

2/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040139 [Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

2/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040160 [Settlement of Lawsuit - Maria Trapalis-Baird]

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al.
(City Attorney)

2/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

040161 [Settlement of Lawsuit - Clara Tempongko, et al.]

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al.
(City Attorney)

2/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.)
(City Attorney)

2/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

040167 [Market Street Truck Loading Bays]

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets.
(Parking and Traffic Department)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040168 [Modification of traffic regulations at Oak and Laguna Streets]

Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040169 [Modification of traffic regulations at the intersection of Fell and Laguna Streets]

Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 3, 2004 to February 13, 2004, for reference by President to appropriate committee on February 24, 2004.

040164 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

31st Avenue and Rivera Street, stopping 31st Avenue, making this intersection an all-way STOP; and Newcomb and Toland Streets, stopping Newcomb Street, making this uncontrolled intersection a two-way STOP.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040165 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH

Missouri Street, both sides, between 20th and 22nd Streets (500 and 600 blocks); and
Sierra Street, north side, between Missouri and Texas Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly;

Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street (extends existing
35-foot zone by an additional 50 feet); and

Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Ellis Street, south side, from Laguna Street to 350 feet westerly (legislates existing conditions);

Waller Street, north side, from Divisadero Street to Broderick Street (legislates existing conditions);
and

Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus (unit block).

NO PARKING ANYTIME - RESCIND

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Nido Avenue, west side, between Turk and Vega Streets; and

Vega Street, north side, between Anza Vista and Nido Avenues.

TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY -
RESCIND

10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY - RESCIND

PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) -
EXTEND

Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY - ESTABLISH

3rd Street, both sides, from Mission to Market Streets; and

3rd Street, west side, from Howard to Mission Streets.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and
parking regulations where such changes do not establish a higher speed limit or result in more than a
negligible increase in the use of the street; DPT Order No. 2759.)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040166 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

TWO-WAY STREET - ESTABLISH

Laguna Street, between Fell and Oak Streets.

RIGHT TURN ONLY - REVOKE

Laguna Street, southbound at Fell Street; and

Laguna Street, northbound at Oak Street.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

2/11/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040170 [Provide nutrition education in community settings to low-income families in San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004.

(Public Health Department)

2/12/2004, RECEIVED AND ASSIGNED to City Services Committee.

040182 [Improve working conditions for day laborers in the San Francisco Mission District]

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of \$212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004.

(Public Health Department)

2/10/2004, RECEIVED AND ASSIGNED to City Services Committee.

040266 [Petitions and Communications]

Petitions and Communications received from February 3, 2004 through February 17, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 24, 2004.

From Department of Human Services, submitting list of all the shelters in San Francisco, including a detailed chart on a shelter's wheelchair accessibility. (1)

From Department of Parking and Traffic, submitting quarterly tow refunds report pursuant to Administrative Code Section 10C.12. (2)

From Office of the Controller, submitting report concerning the concession audit of the China Basin Ballpark Company LLC. (3)

From Office of the Legislative Analyst, submitting report on the non-profit collective/cooperative medical cannabis cultivation and distribution model recently employed by the Wo/men's Alliance for Medical Marijuana (WAMM) in Santa Cruz, including an analysis on the feasibility and ramifications of implementing such a model in San Francisco. File 031676 (4)

From Fire Department, regarding installation of a Cingular Wireless cell site erected at Fire Station 13. (Reference No. 20031216-005) Copy: Supervisor Peskin (5)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (6)

From Department of Public Health, submitting report on the rate of salary and fringe benefit expenditures for the six months ending December 31, 2003 for San Francisco General Hospital and Jail Health. (7)

From Department of Telecommunications and Information Services (DTIS), submitting list of DTIS' contracts for fiscal year 2002/03 that were awarded because the contractor was the sole source of the products or services needed. (8)

From various City Departments, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. Copy: Supervisor Hall (9)
Dept. of Children, Youth and Their Families (Reference No. 20031216-064)
Employees' Retirement System (Reference No. 20031216-024)
Emergency Communications Department (Reference No. 20031216-030)
Human Rights Commission (Reference No. 20031216-048)
Budget Analyst (Reference No. 20031216-061)
City Administrator (Reference No. 20031216-027)
Civil Service Commission (Reference No. 20031216-047)
Consumer Assurance (Reference No. 20031216-021)
Mayor (Reference No. 20031216-065)
Department of Parking and Traffic (Reference No. 20031216-058)
Redevelopment Agency (Reference No. 20031216-017)
Dept. of Telecommunications/Information Services (Reference No. 20031216-028)

From Hospital and Nursing Home Discharge Planning Task Force, submitting final report entitled "Hospital and Nursing Home Discharge Planning" May 2003. (10)

From Juvenile Probation Department, submitting budget reduction summary for budget years 2001-2002 to 2004-2005. (11)

From Greater West Portal Neighborhood Association, submitting opposition to proposal to delegate Planning Commission power of Discretionary Review to the administration of the Planning Department. Copy: Each Supervisor (12)

From Karen Wong, submitting request for an off-sale general, type 21 liquor license for Richmond New May Wah Supermarket at 701 Clement Street. (13)

From concerned citizens, submitting opposition to traffic circles on Page Street that can be hazardous to pedestrians, especially the disabled. Approximately 100 letters (14)

From Adam McCauley, submitting opposition to proposed State legislation to modernize laws related to alcohol closing hours. File 040057, Copy: Each Supervisor (15)

From concerned citizens, submitting support for proposed State legislation to modernize laws related to alcohol closing hours. File 040057, Copy: Each Supervisor (16)

From Department of Public Works, submitting copy of letter to constituent denying his request to revoke an approved minor sidewalk encroachment permit at 291 Downey Street. (17)

From State Public Utilities Commission, concerning ordinance requiring slip resistant manhole, vault and sub-sidewalk basement covers, grilles, grates or other lids on the public sidewalk. File 030611 (18)

From California Highway Patrol, submitting notice that the San Francisco Fire Department is exempt from California Code of Regulations Title 13, Section 1103(e) and (f), requiring ambulances to carry a spare tire and jack. File 031757 (19)

From various signators, submitting Form 700 Statement of Economic Interests: Sean Eisbernd, Mike Farrah, Jennifer Entire Matz (20)

From Department of Public Health, submitting San Francisco Monthly STD Report. (21)

From State Office of Homeland Security, submitting notice that grant application and Phase II funding for the Urban Area Security Initiative II from July 1, 2003 through December 31, 2004 has been approved. (22)

From concerned citizens, submitting support for proposed ordinance prohibiting the demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation. File 031739, approximately 225 postcards (23)

From Department of Parking and Traffic, regarding proposed change of the maximum time limit for metered parking on Stockton Street (1500 Block) between Columbus Avenue and Union Street. (24)

From Planning Department, submitting Notice of Determination for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project. File 030379 (25)

From Fire Department, submitting notice of annual inspection relative to fire and life safety issues for County Jail No. 2, 850 Bryant Street, 7 Floor. (26)

From Real Estate Division, responding to inquiry pertaining to the new 3G-cell site erected by Cingular Wireless on Fire Station 13. (Reference No. 20031216-004) Copy: Supervisor Peskin (27)

From Reuben and Alter LLP, responding to allegations raised in Stephen Williams' letter dated January 22, 2004, regarding his claim that the 899 North Point Street project site may contain hazardous materials. File 031969, Copy: Each Supervisor (28)

From Office of the Controller, submitting six-month budget status report for fiscal year 2003/04. (29)

From H. Hodges, submitting support for converting Muni diesel buses to cleaner burning biodiesel. (30)

From Michele McMahon, commenting on the lack of maintenance at Rossi field compared to Moscone field in the Marina District. (31)

From concerned citizens, submitting support for urging the Governor to consider postponing further construction work on the Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods. File 040114, Copy: Each Supervisor (32)

From J. Lee Murphy, commenting that San Francisco loses tax revenue to Colma because there are no large hardware stores in San Francisco, and urging the Board of Supervisors to consider permitting a Home Depot Store to locate at the former Goodman Lumber site or somewhere near that area. Copy: Supervisor Maxwell (33)

From STD Prevention and Control, submitting San Francisco Sexually Transmitted Disease Annual Summary for 2002. (34)

From Department of Public Health, submitting copy of letter sent to the Planning Department regarding proposed development at 899 North Point Street. Copy: Each Supervisor (35)

From Bruce Hildenbrand, suggesting an increase in the amount the Curry Company concessionaire pays to Yosemite National Park as a usage fee. (36)

From James Chaffee, regarding his lawsuit against the San Francisco Library Commission. Copy: Each Supervisor (37)

From Office of the Controller, submitting Annual Comprehensive Financial Report for year ended June 30, 2003. (38)

From Office of the Mayor, submitting appointment of Sean Elsbernd as the Mayor's liaison to the Board of Supervisors. Copy: Each Supervisor (39)

From Bike and Roll Rentals, regarding the Entertainment District concept for the North Beach "Corridor" area. (40)

From the Asian Art Museum, announcing the one-year anniversary of its new Civic Center home on March 20, 2004 by offering free admission for all visitors on Saturday, March 20, 2004. (41)

From Board of Appeals, submitting names of the newly elected Commissioners to the Board of Appeals. (42)

From Department of Parking and Traffic, concerning what effect the Secondary Unit legislation will have on the City's overall traffic flow, as well as the traffic flow in individual neighborhoods. (Reference No. 20031028-006) Copy: Supervisor Hall (43)

From Department of Parking and Traffic, regarding the feasibility of installing a four-way stop at the intersection of Ocean and Otesego. (Reference No. 20040127-005) Copy: Supervisor Sandoval (44)
From Department of Parking and Traffic, concerning the recent closure of Waller Street between Stanyan and Kezar Drive. (Reference No. 20031216-007) Copy: Supervisor Hall (45)

From Department of Parking and Traffic, regarding implementing time limited restrictions along Judah Corridor to prevent commuter and promote resident parking. (Reference No. 20031028-003) Copy: Supervisor Hall (46)

From Mayor's Office of Community Development, regarding funding for the proposed gun buy back program. (Reference No. 20040203-018) Copy: Supervisor Daly (47)

From Ethics Commission, submitting fourth quarter 2003 Lobbyist Report. Copy: Each Supervisor (48)

From Office of the City Attorney, submitting report of hours of service provided from December 1-31, 2003 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors. (49)

From Office of the City Attorney, submitting report of hours of service provided from December 1-31, 2003 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors – Confidential Matters. (50)

From Trutanich & Michel, LLP, submitting opposition to proposed ordinance requiring firearm thefts or loss to be reported within 48 hours. File 031932 (51)

From Vikasni Prasad and Syed Ali, submitting request for transfer of a type 21 off-sale liquor license from 1500 Taylor Street to 1287 Howard Street. (52)

From Planning Department, submitting Notice of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance that would allow a tourist hotel of 75 rooms or less as a principal permitted use in the Service/Secondary Office District. File 032030 (53)

From Ethics Commission, submitting summary of fourth quarter 2003 report on lobbyist activity. Copy: Each Supervisor (54)

From Public Library, submitting re-appointment of Susan Goldstein, City Archivist, as the San Francisco Public Library representative to the San Francisco Museum and Historical Society Advisory Committee. (55)

From Department of Parking and Traffic, regarding request for a traffic study at the intersection of Hunters Point Boulevard at Hawes Street and Innes Avenue. (Reference No. 20031216-006) Copy: Supervisor Maxwell (56)

Number not used. (57)

From Office of the Controller, submitting financial reports for January 2004. (58)

From Department of Parking and Traffic, responding to inquiry regarding use and preference of vending machines at the Department. (Reference No. 20030923-026) Copy: Supervisor Peskin (59)

From Real Estate Division, submitting a complete listing of all City properties that are being leased for a \$1.00 a year or less. (Reference No. 20040203-025) Copy: Supervisor Hall (60)

From Municipal Transportation Agency, submitting copy of letter sent to the Japantown Task Force, Inc. regarding the Task Force's desire to bring attention to Japantown as a major San Francisco destination. (61)

From Department of Human Services, submitting an update on activities related to the implementation of CalWORKs. Copy: Each Supervisor (62)

From Immigrant Rights Commission, urging the Mayor and Board of Supervisors to ask Senator Feinstein, Senator Boxer and Representative Stark to respond immediately to the Cuevas family request for immigration assistance. (63)

From Public Utilities Commission, submitting support for resolution approving a Fiscal Cost Sharing Agreement with the U.S. Army Corps of Engineers. File 040056 (64)

From concerned citizens, submitting their comments on same sex marriages. (65)

From Severson & Werson, submitting request for a liquor license for the Majestic Hotel at 1500 Sutter Street. (66)

From concerned citizens, commenting on proposed legislation to grade restaurants for compliance with the Health Code. File 040092, Copy: Each Supervisor (67)

From Mayor's Memorial Day Citizen's Committee, submitting invitation to the 2004 Mayor's Memorial Day Citizen's Committee on February 19, 2004, starting at 11:00 a.m. at the Presidio Trust Office of Special Events at 201 Halleck Street, 2nd Floor. (68)

ADJOURNMENT

NOTICE OF PUBLIC HEARING OF THE
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF
SAN FRANCISCO ON THE PROPOSED GROUND LEASE BETWEEN
THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY
OF SAN FRANCISCO AND MARIPOSA GARDENS II, L.P., A CALIFORNIA
LIMITED PARTNERSHIP, FOR THE LAND AT ASSESSOR'S BLOCK 4014,
LOT 1, COMMONLY KNOWN AS 2445 MARIPOSA STREET

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco (the "Board") will hold a public hearing on Tuesday, March 9, 2004 at 3:00 p.m., in the Board of Supervisors Chamber (Room 250) located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California pursuant to the provisions of Section 33433 of the California Community Redevelopment Law and certain requirements of the Federal Government.

The purpose of said hearing is to hear all persons interested in the matter of the consideration of the proposal of the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") to enter into a proposed Ground Lease in connection with the lease of land of Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, which site is bound on the north side by Mariposa Street, on the south side by 18th Street, on the west by Hampshire Street and the east by Potrero Avenue.

The Redevelopment Agency proposes to enter into said Ground Lease and lease said project land to the following named Developer on or after February 3, 2004:

MARIPOSA GARDENS II, L.P.

The Redevelopment Agency has prepared a report pursuant to Section 33433 of the California Community Redevelopment Law. The report contains the following: a copy of the draft Groundlease and a summary of the proposed transaction. Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the report at the following address: San Francisco Redevelopment Agency, 770 Golden Gate Avenue, San Francisco, California.

By the order of the Board of Supervisors of the City and County of San Francisco

DATED: February 18, 2004.

DOCUMENTS DEPT.

Gloria L. Young
Clerk of the Board

FEB 23 2004

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Publish: February 21, 2004
February 28, 2004

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 9, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 10, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

1. 040055 [Fees for regulation of mobile storage containers on the public right-of-way]
Supervisors Peskin, Daly
Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

2/24/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

2. 040170 [Provide nutrition education in community settings to low-income families in San Francisco]
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 040182 [Improve working conditions for day laborers in the San Francisco Mission District]
Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of \$212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

4. 040028 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Pacheco Street, stopping Pacheco Street, making this intersection an All-Way STOP; and
Niagara and San Jose Avenues, stopping San Jose Avenue, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Question: Shall this Resolution be ADOPTED?

5. 040030 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.
- YIELD SIGN - ESTABLISH
Potrero Avenue/Cesar Chavez Street/Southbound 101 Off-Ramp at Bayshore Boulevard, southbound (eastbound).
- NO TURN ON RED - ESTABLISH
Market Street, westbound, at Davis and Pine Streets.
- RIGHT LANE MUST TURN RIGHT - RESCIND
RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Clay Street, eastbound, at Davis Street.
- RIGHT TURN ONLY - ESTABLISH
Fowler Avenue, southbound, at Teresita Boulevard.
- YIELD SIGN - ESTABLISH
Teresita Boulevard, southbound, at Fowler Avenue.
- NO RIGHT TURN ON RED INTO MARKET STREET - RESCIND
NO RIGHT TURN ON RED - ESTABLISH
Castro Street, northbound, at Market Street.
- NO TURN ON FLASHING RED - RESCIND
NO TURN ON RED - ESTABLISH
Church Street, northbound, at Market Street.
(Parking and Traffic Department)
- (1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Question: Shall this Resolution be ADOPTED?

6. 040130 [Grant of Federal Funds]
Resolution authorizing the Municipal Transportation Agency to accept and expend \$2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

**7. 030423 [Establishing the powers and duties of the Small Business Commission]
Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election. (No fiscal impact; Companion measure to File 030426.)

2/24/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Dufty

**8. 031934 [City-owned cars assigned to the District Attorney]
Supervisors Peskin, Dufty**

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

2/24/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Dufty, Gonzalez

**9. 031937 [City Hall - City Hall Preservation Advisory Commission]
Supervisors Peskin, Hall, Dufty**

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

2/24/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Duffy, Gonzalez

10. 040080 [Settlement of Lawsuit - Sofia Rillanos]
Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid.
(City Attorney) -

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 040081 [Settlement of Lawsuit - Katherine Cox]
Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al.
(City Attorney)

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 040131 [Settlement of Lawsuit - Michelle Asami]
Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al.
(City Attorney)

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Duffy, Gonzalez

13. 040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.)
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 040086 [Appointment - Mental Health Board]

Resolution appointing Robert Douglas, Carol Knight and Rebecca Ann Turner, term ending January 31, 2007 to the Mental Health Board.

Robert Douglas, succeeding himself, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.

Carol Knight, succeeding herself, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.

Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

15. 031879 **[Residential Rent Ordinance-Keys]
Supervisors Daly, Gonzalez**

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

2/24/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell, Peskin

16. 031983 [Redevelopment Agency Budget]

Mayor, Supervisor Daly

Resolution (1) authorizing the issuance of refunding and capital improvement bonds in one or more series by the City and County of San Francisco Redevelopment Financing Authority in an amount not to exceed \$90,000,000 to refinance indebtedness previously issued in 1993 and 1996 and provide additional funds for affordable housing; (2) approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004, by increasing the Agency's tax increment receipts in an amount not to exceed \$3,373,160 to provide funds for payment of such amount to the Educational Revenue and Augmentation Fund, authorizing the receipt of approximately \$10,000,000 from the sale of tax allocation refunding and capital improvement revenue bonds and also increasing the Agency's expenditure authority in an amount not to exceed \$13,373,160 to enable the Agency's payment of \$3,373,160 to the Education Revenue and Augmentation Fund and expenditure of bond proceeds in the amount of approximately \$10,000,000 for affordable housing and related purposes; and (3) authorizing execution of a Cooperation Agreement with the Redevelopment Agency of the City and County of San Francisco that provides for the Agency's payment of \$1,912,094 to the City and County of San Francisco from the proceeds of bonds to be issued in 2004, such amount to constitute the Agency's deposit towards the purchase of one or more underutilized sites to be conveyed to the Agency for affordable housing.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

17. 032029 [Extended Hours Permits]

Supervisor Dufty

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

1/6/2004, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance, approved as to form, bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 040192 [Accept-Expend State Grant]

Supervisor Alioto-Pier

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$1,824,467 from the California Governor's Office of Homeland Security for emergency response equipment, training, and exercises.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

19. 031151 [Creating the Divisadero Street Alcohol Restricted Use District]
Supervisor Gonzalez

Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

[No fiscal impact.]

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 040031 [Modification of parking regulations on portions of Mission Street]

Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 040032 [Modification of traffic regulations on portions of Mission Street]

Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 040074 [Speed Limit - Portion of Octavia Boulevard]

Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 040075 [Speed Limit - Portion of Octavia Frontage Road]

Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040029 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Cesar Chavez Street, north side, between Illinois and Michigan Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Donner Avenue, west side, from Phelps Street to easterly terminus (legislates existing parking conditions);

Donner Avenue, east side, from 50 feet south of Phelps Street to easterly terminus; and
Pacific Avenue, south side, between Lyon Street and Presidio Avenue (legislates existing parking conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hayes Street, north side, within the nine foot curb space between the driveways of 1448 and 1450
Hayes Street, west of Broderick Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

1673 Page Street, between the driveways for 1669 and 1673 Page Street (11-foot space).
(Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

25. 032057 [Appointment - Elections Commission]

Resolution appointing Gerard Gleason, term ending January 1, 2009, to the Elections Commission.
Gerard Gleason, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

26. 040188 [Hearing - Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

27. 040187 [Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]
Mayor
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

Recommendation of the City Services Committee

The following item will be considered by the City Services Committee at a Special Meeting on March 4, 2004. The Chair intends to request the Committee to send the following item to the Board as a committee report.

28. 040058 [Economic Opportunity Council]
Supervisors Daly, Peskin, Ma, Dufty, Alioto-Pier

Resolution urging the Economic Opportunity Council of San Francisco to immediately restore the supplemental nutrition distribution system sites to serve the needs of San Francisco seniors.

Question: Shall this Resolution be ADOPTED?

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 31 through 43

31. 040201 [Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]
Supervisors Ammiano, Dufty, Daly, Gonzalez
Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.
- 2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
2/24/2004, CONTINUED. Continued to March 9, 2004
- Supervisors Daly and Gonzalez requested to be added as co-sponsors.
Question: Shall this Resolution be ADOPTED?
32. 040241 [Commending Youth Chance High School]
Supervisor Daly
Resolution commending Youth Chance High School for 25 years of community leadership, educational excellence, and dedicated service to improving the lives of youth in San Francisco.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 040244 [Extension of Planning Commission Review Period]
Supervisor Peskin
Resolution extending to and including March 15, 2004 the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P(Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 040245 [National Diabetes Month]
Supervisors Maxwell, Dufty
Resolution proclaiming the month of February 2004 as National Diabetes Month.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

35. 040246 [Commending the Services and Advocacy for Asian Youth Consortium]
Supervisor Ma
Resolution commending the Services and Advocacy for Asian Youth Consortium for their dedication and commitment to the Asian youth community in San Francisco.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 040247 [Commending San Francisco's African Americans Legion Post No. 875]
Supervisors Ma, Maxwell, Dufty
Resolution recognizing and commending San Francisco's African Americans Legion Post No. 875 for their dedicated service to the many brave veterans living in the San Francisco Bay Area.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 040248 [Read Aloud Day]
Supervisors Ma, Dufty
Resolution declaring March 2, 2004 as "Read Aloud Day" in the City and County of San Francisco.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 040249 [Filipino World War II veterans]
Supervisors Ma, Dufty
Resolution urging State Legislators to support Filipino World War II veterans by passing legislation to recognize Filipino combatants as American veterans.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 040250 [High Risk and Serious Registered Sex Offender Map]
Supervisor Hall
Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of registered sex offenders, classified as either "Serious" or High Risk offenders who reside in the City and County of San Francisco.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 040251 [Proclaiming March 2004 as Social Work Month]
Supervisors Sandoval, Dufty
Resolution proclaiming March 2004 as Social Work Month in the City and County of San Francisco.
- 2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

41. 040253 [Opposing elimination of state guarantees for low-income immigrant access to health and social services]
Supervisor Ammiano
Resolution opposing Governor Schwarzenegger's proposals to eliminate state guarantees which ensure that low-income immigrants have access to health and social services.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 040221 [Final Map for a 29 Unit Live/Work Condominium Project - 1221 Harrison Street]
Motion approving Final Map of 1221 Harrison Street, A Live/Work Condominium Project, being a subdivision of Lot 71 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 174,686; District 6.)

3/1/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
43. 040231 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- Questions on the For Adoption Without Committee Reference
Agenda: _____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 18, 2004 through March 1, 2004, for reference by President to appropriate committee on March 9, 2004.

- 040217** **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco.
(City Attorney)

2/26/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 040218** **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**
Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 040219** **[Administrative Code Revision: Health Service System]**
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Human Resources Department)

2/27/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al.
(City Attorney)

3/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 18, 2004 through March 1, 2004, for reference by President to appropriate committee on March 9, 2004.

**040216 [Accept and Expend Grant]
Supervisor Dufty**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail.
(Sheriff)

2/18/2004, RECEIVED AND ASSIGNED to City Services Committee.

040270 [Petitions and Communications]

Petitions and Communications received from February 18, 2004 through March 1, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 9, 2004.

From Public Utilities Commission, submitting the annual disclosure report for the Public Utilities Commission. (1)

From various City Departments, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. Copy: Supervisor Hall (2)
Ethics Commission (Reference No. 20031216-044)
Sheriff (Reference No. 20031216-032)
Department of Human Services (Reference No. 20031216-010)
Juvenile Probation Department (Reference No. 20031216-063)

From Police Department, regarding police investigation related to the murder of Scharod Fleming. (Reference No. 20040127-009) Copy: Supervisor Daly (3)

From United Irish Societies of San Francisco, submitting invitation and schedule of the Saint Patrick's Day Festivities. Copy: Each Supervisor (4)

From Reuben and Alter LLP, commenting on the proposed motion adopting findings related to the categorical exemption issued for 899 North Point Street. File 040200, Copy: Each Supervisor (5)

From S.F. Museum and Historical Society Advisory Committee, submitting annual report for the S.F. Museum and Historical Society Advisory Committee. File 020637 (6)

From Farella Braun & Martel LLP, submitting summary of proposed ordinance regarding the Downtown Housing Demonstration Special Use District. File 040147, Copy: Supervisors Ammiano, Maxwell (7)

From Department of Parking and Traffic, regarding comments that appeared in the San Francisco Chronicle on September 28, 2003 related to traffic enforcement and congestion. (Reference No. 20030930-009) Copy: Supervisor Daly (8)

From Farella Braun & Martel LLP, submitting description of the 690/942 Market Street Projects associated with the Special Use District. Files 040147 and 040184, Copy: Supervisors Ammiano, Maxwell (9)

From Everett Tauber, regarding the continuing vandalism, burglaries and a disregard for property at 745 Sutter Street. Copy: Supervisor Peskin (10)

From Alonzo King's Dance Center, submitting support for proposed legislation to fund the San Francisco International Arts Festival. File 031581, Copy: Each Supervisor (11)

From concerned citizens, submitting their comments on issuing marriage licenses to same sex couples at City Hall. (12)

From Department of Public Health, submitting request for waiver of Chapter 12B of the Administrative Code for Metro Park Laundry to provide laundry services to Laguna Honda while the Oyster Point Laundry Facility is made operational. (13)

From Department of Elections, regarding how the Department of Elections will handle provisional ballots cast by voters outside of their assigned precincts in the March 2, 2004. Copy: Each

Supervisor (14)

From Taxi Commission, submitting resolution encouraging the Board of Supervisors to urge the State legislature to adopt amendments to the State Public Utilities Code relating to regulation of limousines by Cities and/or Counties. Copy: Each Supervisor (15)

From Youth Commission, submitting support for proposed resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law. Copy: Each Supervisor (16)

From concerned citizens, submitting opposition to traffic circles on Page Street that can be hazardous to pedestrians, especially the disabled. Approximately 50 letters (17)

From Public Library, submitting correspondence between the Library and the European American Issues Forum related to the "European Americans among Us" exhibit. (Reference No. 20040210-003) Copy: Supervisor Daly (18)

From Patrick Monette-Shaw, urging the Board to re-refer legislation regarding the City's Non-Profit Contracting Task Force back to the City Services Committee. File 032027, Copy: Each Supervisor (19)

From Department of Elections, submitting information regarding the March 2, 2004 Consolidated Primary Election. Copy: Each Supervisor (20)

From Jeff Qvale, submitting support for underground parking at the De Young Museum in Golden Gate Park. File 031481 (21)

From Elections Commission, submitting the Sheriff's Department report on the Consolidated Primary Election for Tuesday, March 2, 2004. (22)

From State Fish and Game Commission, submitting proposed regulatory actions and text of regulations in strikeout/underline language, relative to "Mammal Hunting and Trapping Regulations" in sections identified in Title 14, California Code of Regulations. (23)

From U.S. Department of Federal Aviation Administration, submitting acknowledgement of request for information regarding any Airport Improvement program grants. (Reference No. 20040203-008) Copy: Supervisor Alioto-Pier (24)

From Sara Ryan, urging the Board to have a no turn signal installed at 24th Street and Potrero Avenue as soon as possible. Copy: Supervisor Ammiano (25)

From Doug Loranger, regarding the pending budget for the San Francisco Public Library. Copy: Each Supervisor (26)

From Private Industry Council, submitting report of activities for 2000 through 2002. (27)

From State Department of Health Services, submitting the Child Health and Disability Prevention Program allocation for fiscal year 2003/04. (28)

From US Army Corps of Engineers, submitting notice regarding application to continue the annual installation and removal of a summer dam on the Russian River. (29)

From Emergency Communications Department, submitting final report of the 2003 Combined Charity Campaign for San Francisco City and County employees. Copy: Each Supervisor (30)

From Public Utilities Commission, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Harbor Payments. (31)

From Human Rights Commission, urging the Board to oppose any efforts by PG&E to obtain permits to upgrade, retrofit or obtain emission reduction credits for the Hunters Point plant that would extend its operation beyond 2005, the year that its current permits expire. (32)

From Police Department, reporting on the scope and costs of programs and activities addressing waterfront security in the City and County of San Francisco encompassing the entire waterfront. (Reference No. 20040203-004) Copy: Supervisor Alioto-Pier (33)

From the Urban Water Institute, submitting notice of an Urban Water Institute Summit Conference on March 17, 18 and 19, 2004 in Santa Ana, California. (34)

From Department of Parking and Traffic, regarding the feasibility of installing left turn signals at the intersections of San Bruno and Silver Avenues, and Bayshore Boulevard and Silver Avenue. (Reference No. 20030819-001) Copy: Supervisor Maxwell (35)

From Anita Sarah Jackson, submitting support for legislation recommended by the Lead Hazard Reduction Citizens Advisory Committee to protect children from lead poisoning caused by unsafe work practices on the interiors of pre 1979 rentals and child care facilities. Copy: Each Supervisor (36)

From Library Users Association, commenting on article in the San Francisco Bay Guardian entitled "Library's Broken Promise on Privacy-threatening Technology Plans". (37)

From Supervisor Gonzalez, submitting appointment of Catherine Rauschuber to the Park, Recreation and Open Space Advisory Committee. (38)

From Municipal Transportation Agency, submitting fiscal year 2005 proposed budget for Municipal Railway Department and the Department of Parking and Traffic. Copy: Each Supervisor (39)

From Clean Beaches Council, submitting criteria for participating in the 2004 National Blue Wave Campaign, an exclusive program for America's cleanest beaches. Copy: Each Supervisor (40)

From Human Rights Commission, submitting quarterly report as required by Administrative Code Chapter 12D.A. (41)

From PG&E, submitting report which provides the names and address of accounts delinquent over 90 days. (42)

From GL Shem, requesting the Board urge the Fire Department to provide Paramedic-staffed Fire Engines in all San Francisco neighborhoods. Copy: Each Supervisor (43)

From concerned citizens, commenting on proposed Muni bus service cuts. (44)

From concerned citizens, urging the governor to instruct Cal Trans to stop construction of the Central Freeway ramp. File 040114 (45)

From Richard Leo Lymp, submitting information relevant to San Francisco's environmental and economic welfare. (46)

From Richard Shadoian, submitting support for establishing an independent Citizens Advisory Committee for the public library. File 020585, Copy: Each Supervisor (47)

From Mark Atkinson, urging the Mayor to veto the anti-demolition law passed by the Board of Supervisors for the 377 rent-controlled apartments at Trinity Plaza. File 031739, Copy: Each Supervisor (48)

From concerned citizens, urging the Fire Department to give classes in community safety training. (49)

From Melanie Balfour, urging the Board to address the issue of motorcycle parking, both the lack thereof and the higher penalties charged to motorcycles and scooters for sidewalk violations than that given to four wheel vehicles. Copy: Each Supervisor (50)

From Golden Gate Park Music Concourse, submitting construction update for the Golden Gate Park Music Concourse underground facility. (51)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 3, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance repealing SF Administrative Code repealing Chapter 38.1-15) and enacting a new Transit Impact Development Fee	040141	Land Use Committee	Supervisor McGoldrick	2/3/04	3/4/04
Ordinance amending Planning Code relating to basic floor area ration limit for C-M Zoning districts	041044	Land Use Committee	Supervisor Daly	2/3/04	3/4/04
Ordinance amending SF Admin Code adding Chapter 28 relating the Board of Supervisors review of a proposed project	040146	Rules Committee	Supervisor Peskin	2/3/04	3/4/04
Ordinance amending Planning Code relating to providing floor area bonus incentives for the provision of certain public benefits	040183	Land Use Committee	Supervisors McGoldrick, Gonzalez	2/10/04	3/10/04
Ordinance amending SF Admin Code relating to Employee Catastrophic Illness Program reimbursement upon qualification for or receipt of disability retirement and to authorize employees to transfer unused hours if participation in the program expires or terminates.	040194	Finance and Audits Committee	Supervisor Ammiano	2/10/04	3/10/04
Ordinance amending SF Admin Code establishing alternative affordable housing and home ownership bond program	031878	Land Use Committee	Supervisor Sandoval	2/24/04	3/25/04
Ordinance amending SF Admin Code to prohibit biometric imaging as a form of identification	040233	City Services Committee	Supervisor Daly, Ammiano, Gonzalez	2/24/04	3/25/04
Ordinance adding SF Admin Code 2A.86 to require the SF Police Department to issue and post a 10 Most Wanted Suspects Crime Bulletin	040234	City Services Committee	Supervisor Ma	2/24/04	3/25/04

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

MAR 12 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 16, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

1. 040216 [Accept and Expend Grant]
 Supervisor Dufty
 Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail.
 (Sheriff)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval

2. 031826 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Amendment No. 3 to the Traveler America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Traveler America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

(Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

3. 040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct. No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.)

(City Attorney)

3/9/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

1. 040216 [Accept and Expend Grant]
 Supervisor Dufty
 Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail.
 (Sheriff)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval

2. 031826 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Amendment No. 3 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

3. 040163 **[Settlement of Lawsuits and Assessment Appeals]**
Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.)
(City Attorney)

3/9/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

4. 031151 [Creating the Divisadero Street Alcohol Restricted Use District]

Supervisor Gonzalez

Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

[No fiscal impact.]

3/9/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 040031 [Modification of parking regulations on portions of Mission Street]

Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

3/9/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 040032 [Modification of traffic regulations on portions of Mission Street]

Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

3/9/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 040074 [Speed Limit - Portion of Octavia Boulevard]

Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)

3/9/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040075 [Speed Limit - Portion of Octavia Frontage Road]

Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)

3/9/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Redevelopment Agency

9. **040187** **[Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**
Mayor
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.
(Fiscal impact.)

3/9/2004, CONTINUED. Continued to March 16, 2004

Question: Shall this Resolution be **ADOPTED**?

Recommendations of the City Services Committee

Present: Supervises Duffy, Ma, Alioto-Pier

10. **032029** **[Extended Hours Permits]**
Supervisors Duffy, Daly
Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

1/6/2004, SUBSTITUTED. Supervisor Duffy submitted a substitute ordinance, approved as to form, bearing same title.

3/9/2004, CONTINUED. Continued to March 16, 2004

Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be **PASSED ON FIRST READING**?

11. **040182** **[Improve working conditions for day laborers in the San Francisco Mission District]**
Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of \$212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004.
(Public Health Department)

3/9/2004, CONTINUED. Continued to March 16, 2004

Question: Shall this Resolution be **ADOPTED**?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma, Alioto-Pier

12. 040027 [Liquor License, 25 Van Ness Avenue]
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater liquor license to Ed Decker for the New Conservatory Theatre Center located at 25 Van Ness Avenue (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

13. 040215 [Liquor License, 1500 Sutter Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises license to TRI Restaurant Corporation dba The Majestic Hotel located at 1500 Sutter Street (District 2), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

14. 040093 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]
Mayor
Ordinance appropriating \$5,460,000 of fund balance from the Water Department and \$1,540,000 of fund balance from Hetch Hetchy, for a total of \$7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of \$6,000,000 for the Program Management Organization (PMO) and \$1,000,000 for SFPUC staff and other support services; placing \$2,500,000 on reserve.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 031975 **[Year 4 Renewal of SFPUC Program Management Services Contract]**
Resolution retroactively approving the Public Utilities Commission's approval of the fourth year renewal of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) to provide program management services for the SFPUC Capital Improvement Program, for an amount not to exceed \$11 million; approving the Contract Year 3 performance fee for an amount not to exceed \$497,000; requiring that the PUC report to the Finance and Audits Committee as part of the PUC's annual budget review process.
(Public Utilities Commission)
(Fiscal impact; No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
16. 040181 **[MOU - Amendment No. 1 and Amendment No. 2, Local 21]**
Mayor
Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
17. 031977 **[Amendment to Agreement for the PGA Tour to Host Tournament to be held at Harding Park Golf Course]**
Supervisor Hall
Resolution approving and authorizing an amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for the PGA Tour Championship Tournament.
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

18. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

19. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 20 through 33

20. 040279 [Extension of Planning Commission Review Period - 690 Market Street]

Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

21. 040284 [Contract funds to evaluate the impact of a resource center for drug users]

Supervisor Peskin

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of \$4,697 to provide research evaluation services; for the period of July 1, 2003 to June 30, 2004.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

22. **040286** **[Arts Education Month]**
 Supervisor Ammiano
 Resolution declaring March 2004 as Arts Education Month in San Francisco.
- 3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
23. **040287** **[Greenhouse Gases]**
 Supervisor Daly
 Resolution urging the California Air Resources Board to adopt the strongest possible regulations to reduce greenhouse gases emitted by passenger vehicles pursuant to AB 1493 (Pavley), and recommends that the California Legislature endorse such regulations to protect the health of the state's economy and its people.
- 3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. **040288** **[Urging United States Senate to restore Earned Income Tax Credit funding]**
 Supervisor Daly
 Resolution urging the United States Senate to restore funding for the Earned Income Tax Credit program; directing the Clerk of the Board to send the request to Senators Dianne Feinstein and Barbara Boxer.
- 3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. **040289** **[Rename Geary Street between Taylor and Mason Streets "Saroyan Way"]**
 Supervisor Daly
 Resolution renaming Geary Street between Taylor and Mason Streets "Saroyan Way" for the period between March 24 and April 30, 2004 and urging the San Francisco Department of Public Works to work with American Conservatory Theater to place appropriate signage.
- 3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. **040290** **[Continuation of higher cap on gate fees charged taxi drivers]**
 Supervisor Hall
 Resolution extending the date for enacting ordinances to prevent expiration of higher cap on gate fees charged taxi drivers.
 (Companion measure to File 020678.)
- 3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

27. 040291 [Unidentified Victims]
Supervisor Hall
Resolution urging the San Francisco Medical Examiner's Office to provide sketches and profiles on their website of deceased individuals who have not been identified since 1975; and to provide the available information on request.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 040292 [Commemorating the One Year Anniversary of the Asian Art Museum]
Supervisor Ma
Resolution commemorating the one year anniversary of the Asian Art Museum at its new Civic Center home.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 040293 [Commemorating Brown v. Board of Education]
Supervisor Maxwell
Resolution commemorating Brown v. Board of Education statewide celebration May 3rd and 4th 2004.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 040294 [Regulate the use of remote control locomotives]
Supervisor Maxwell
Resolution urging the California Public Utilities Commission and the Federal Railroad Administration to adopt regulations to ensure that the safety of the citizens of the City and County of San Francisco is not at risk due to the use of remote control locomotives.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 040295 [Housing for Foster Youth]
Supervisor Maxwell
Resolution supporting the Transitional Housing for Foster Youth Fund to provide safe, affordable housing and supportive services to emancipated foster youth.

3/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

32. 040296 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Hall, Daly, Maxwell, Sandoval, Gonzalez, Alioto-Pier, McGoldrick
Resolution declaring April 24, 2004 Armenian Genocide Commemoration Day in San Francisco.

3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 040297 [Robert Anino Estate]
Supervisor Peskin
Resolution accepting a \$100,000 bequest from the Estate of Robert Anino for the design, construction, placement and maintenance of a monument to composer Johann Strauss, Jr. and urging the Fine Arts Museums Board of Trustees to accept and administer such bequest in accordance with the gift restrictions.

3/9/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 2, 2004 through March 8, 2004, for reference by President to appropriate committee on March 16, 2004.

040230 [Conforming with official street name change - Cesar Chavez Street]

Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street.
(Parking and Traffic Department)

3/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040261 [Settlement of Lawsuit - Laura Bianchi]

Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al.
(City Attorney)

3/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 2, 2004 through March 8, 2004, for reference by President to appropriate committee on March 16, 2004.

040226 [Sale of Surplus Property at 107 24th Avenue]

Resolution authorizing the sale of surplus City-owned real property located at 107 24th Avenue (Block 1334, Lot 1); adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to proceed with its sale at public auction.
(Real Estate Department)

3/9/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040227 [Construct retaining walls in public right-of-way to provide for parking garage driveway and level entry to a new resident at 719 Peru Avenue]

Resolution granting revocable permission to Alan Tran to occupy a portion of the street area along Peru Avenue for the purpose of constructing and maintaining retaining walls in order to provide for a parking garage driveway and a level entry to a new building at 719 Peru Avenue (Assessor Block 5943, Lot 024).
(Public Works Department)

3/3/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040228 [Construct retaining walls in public right-of-way to provide for a parking garage driveway and level entry to a new resident at 715 Peru Avenue]

Resolution granting revocable permission to Robert C. M. & Lori O. W. Chiang to occupy a portion of the street to construct retaining walls in public right-of-way in order to provide for a parking garage driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025).
(Real Estate Department)

3/3/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040229 [Contracting out laundry services at S.F. General Hospital]

Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by a private contractor for a lower cost than similar work performed by City and County employees.
(Public Health Department)

3/3/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040239 [Extending provisional appointments]

Resolution approving extension to June 30, 2005 of provisional appointments of employees in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, 0943 Manager VIII, 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 7334 Stationary Engineer, and 9343 Roofer, and H-30 Captain (Fire Department).
(Human Resources Department)

3/5/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040259 [Settlement of Claim - Weston Ngo]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00.
(City Attorney)

3/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

040260 [Settlement of Claim - Suzanna Hernandez]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00.
(City Attorney)

3/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

040262 [Mayor's Summer Food Service Program]

Resolution authorizing the Department of Children, Youth, and Their Families to accept and expend a grant in the amount of \$599,215 from the United States Department of Agriculture for the 2004 Mayor's Summer Food Service Program.
(Mayor)

3/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040316 [Petitions and Communications]

Petitions and Communications received from March 2, 2004 through March 8, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 16, 2004.

From the Mayor, submitting nomination of Douglas Chan to serve as a member of the Police Commission for a term commencing at 12:00 Noon on April 30, 2004, in accordance with the 1996 Charter Section 4.109, which provides the appointment is subject to confirmation by a majority of the Board of Supervisors. (1)

From the Mayor, submitting nomination of Dr. Joe Marshall to serve as a member of the Police Commission for a term commencing at 12:00 Noon on April 30, 2004, in accordance with the 1996 Charter Section 4.109, which provides the appointment is subject to confirmation by a majority of the Board of Supervisors. (2)

From the Mayor, submitting nomination of Louise Renne to serve as a member of the Police Commission for a term commencing at 12:00 Noon on April 30, 2004, in accordance with the 1996 Charter Section 4.109, which provides the appointment is subject to confirmation by a majority of the Board of Supervisors. (3)

From the Mayor, submitting nomination of Joseph Veronese to serve as a member of the Police Commission for a term commencing at 12:00 Noon on April 30, 2004, in accordance with the 1996 Charter Section 4.109, which provides the appointment is subject to confirmation by a majority of the Board of Supervisors. (4)

From the Mayor, submitting nomination of Ann Lazarus to serve as a member of the Port Commission in accordance with the 1996 Charter Section 4.114, which provides the appointment is subject to confirmation by a majority of the Board of Supervisors. Copy: Each Supervisor (5)

From various signators, submitting Form 700 Statement of Economic Interests: Diana Parker, Sarah He, Marti Paschal, Olivia Scanlon, Ohn Myint, Donna Hall Jerry Threat. (6)

From Department of Elections, submitting an update regarding implementation of ranked-choice voting. (7)

From Department of Parking and Traffic, regarding the feasibility of a No U-turn for southbound Alemany Boulevard at Santa Rosa Avenue. (Reference No. 20031021-003) Copy: Supervisor Sandoval (8)

From Department of Human Services, submitting final report regarding San Francisco's implementation of the Safely Surrendered Baby Law (Senate Bill 1368). Copy: Each Supervisor (9)

From Fire Department, submitting request for release of reserved funds (\$1,543,139) so the Department can carry out its training mandate. (10)

From the Port, submitting report on the scope and costs of programs and activities addressing waterfront security in the City and County of San Francisco encompassing the entire waterfront. (Reference No. 20040203-014) Copy: Supervisor Alioto-Pier (11)

From Municipal Transportation Agency, submitting list of respective current and pending sole source contracts for Municipal Railway and the Department of Parking and Traffic. (12)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance regarding landmark transferable development rights.

(13)

From Sue Hestor, filing notice of Conditional Use appeal for 8 Washington Street from action of Planning Commission. (14)

From concerned citizens, submitting petition urging the Board to suspend the liquor license issued to "City Nights" nightclub located at 3rd and Harrison Streets. Copy: Each Supervisor (15)

From Employees' Retirement System, regarding the industrial disability retirement application of a constituent. (16)

From Fire Department, submitting the annual detention facility fire inspection report for the Sheriff's Department, County Jail #8 at 425 -7th Street. (17)

From Department of Parking and Traffic, regarding the feasibility of installing additional stop signs at the intersection of Ocean and Otsego Avenues. (18)

From Police Department, regarding the Police Department's involvement in gun buy back programs. (Reference No. 20040203-17) Copy: Supervisor Daly (19)

From Library Users Association, regarding article in the San Francisco Chronicle (March 4, 2004) regarding privacy concerns about library checkout device. (20)

From Office of the Treasurer, submitting the Cash Differences and Overages Fund report for the period ending February 29, 2004. (21)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance regarding "Formula Retail Use" legislation. File 031501, Copy: Each Supervisor (22)

From S.F. Child Care Planning and Advisory Council, submitting support for legislation protecting children from lead poisoning caused by unsafe work practices on the interiors of older buildings. Copy: Each Supervisor (23)

From Fire Department, submitting annual detention facility fire inspection report for the Sheriff's Department, County Jail #9 at 425 7th Street. (24)

From concerned citizens, urging the Board to direct the Fire Chief to change the proposed plan to hire 96 single-function firefighters, and instead hire 96 paramedic-licensed recruits. (25)

From King-American Ambulance Company, submitting request for a special exemption from the Board of Supervisors to allow all King-American Ambulance employees to obtain "G" area parking permit stickers for their vehicles so their employees do not receive parking tickets while performing life saving measures to members of the public. Copy: Each Supervisor (26)

From Secretary of State, submitting copy of letter sent to Executive Director of the California Association of Counties regarding the voter verified paper trail and the February 5, 2004 directive to counties using touch-screen systems in the March election. (27)

From Friends of Natural Areas, submitting support for the "Minority Plan" of the Natural Areas Program Citizens Advisory Committee. (28)

From David Tornheim, commenting that Muni has made an insufficient effort to notify Muni riders of public hearings affecting bus service cuts. (29)

From Tortuga Liberty, regarding the implementation of ranked-choice voting in San Francisco. (30)

From North Beach Neighbors, submitting support for the proposed independent Library Citizens Advisory Committee. Copy: Each Supervisor (31)

From concerned citizens, filing notice of appeal from action of the Planning Department's Certificate of Determination of Exemption/Exclusion from Environmental Review for property located at 450 Frederick Street (32)

From Alice Trepp, concerning the issue of disability sick leave use and how it may alter an employee's retirement account. Copy: Each Supervisor (33)

From Harvey Alconin, submitting a formal complaint (as an employee) against the Department of Elections. (34)

From Mario Miranda, submitting a formal complaint (as an employee) against the Department of Elections. (35)

From US Army Corps of Engineers, submitting notice that the Conoco Philips Company, San Francisco Refinery has applied for a ten-year Department of the Army permit to maintenance dredge the Terminal Wharf in the City of Rodeo, Contra Costa County, California. (36)

APPOINTMENTS BY THE MAYOR

Human Rights Commission

Sandy Sohcot

Rabbi Yoel Kahn

Ellouise Patton

Treasure Island Development Authority Board of Directors

Monique Moyer

Health Commission

James Illig

Taxi Commission

Michael Kwok

Arthur Jackson

Commission on Aging and Adult Services

Veneracion Zamora

Commission on the Environment

Christina Desser

Retirement Board

E. David Ellington

Michael Kim

Juvenile Probation Commission

Jim Queen

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 11, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Ordinance amending SF Admin Code establishing alternative affordable housing and home ownership bond program	031878	Land Use Committee	Supervisor Sandoval	2/24/04	3/25/04
Ordinance amending SF Admin Code to prohibit biometric imaging as a form of identification	040233	City Services Committee	Supervisor Daly, Ammiano, Gonzalez	2/24/04	3/25/04
Ordinance adding SF Admin Code 2A.86 to require the SF Police Department to issue and post a 10 Most Wanted Suspects Crime Bulletin	040234	City Services Committee	Supervisor Ma	2/24/04	3/25/04
Ordinance amending SF Admin Code 2B.21 and 2B.22 production and inspection demand procedures and pre-hearing conference procedures before the Assessment Appeals Board	040274	Rules Committee	Supervisor Daly	3/9/04	4/10/04

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAR 19 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 23, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd & 4th Wednesday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 24, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

1. 040181 [MOU - Amendment No. 1 and Amendment No. 2, Local 21]
Mayor, Supervisor Sandoval

Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.

(Fiscal impact.)

3/16/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

2. 040164 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

31st Avenue and Rivera Street, stopping 31st Avenue, making this intersection an all-way STOP; and Newcomb and Toland Streets, stopping Newcomb Street, making this uncontrolled intersection a two-way STOP.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Question: Shall this Resolution be ADOPTED?

3. 040166 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

TWO-WAY STREET - ESTABLISH

Laguna Street, between Fell and Oak Streets.

RIGHT TURN ONLY - REVOKE

Laguna Street, southbound at Fell Street; and

Laguna Street, northbound at Oak Street.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

4. 040160 [Settlement of Lawsuit - Maria Trapalis-Baird]

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 040161 **[Settlement of Lawsuit - Clara Tempongko, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
6. 040217 **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 040218 **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**
Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
8. 040220 **[Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]**
Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 031430 [Appointment - Immigrant Rights Commission]
Resolution appointing Deborah Escobedo and Svetlana Kaff, terms ending June 6, 2005, to the Immigrant Rights Commission.
Deborah Escobedo, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.
Svetlana Kaff, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Question: Shall this Resolution be ADOPTED?

10. 040052 [Appointment - Pedestrian Safety Advisory Committee]
Resolution appointing Cheryl Brinkman, Ken Kelton, Helen Kwan, Howard Strassner, Shirley Bierly and Sharon Priest, terms ending March 28, 2006 to the Pedestrian Safety Advisory Committee.
Cheryl Brinkman, succeeding herself, term expired, seat 1, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.
Ken Kelton, succeeding himself, term expired, seat 3, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.
Helen Kwan, succeeding herself, term expired, seat 5, must be a representative from senior or disability organizations, for a two-year term ending March 28, 2006.
Howard Strassner, succeeding himself, term expired, seat 7, must be a representative from transit or environmental organization, for a two-year term ending March 28, 2006.
Shirley Bierly, succeeding herself, term expired, seat 9, must be a representative from a public health organization, for a two-year term ending March 28, 2006.
Sharon Priest, succeeding herself, term expired, seat 11, must represent the public at-large, for a two-year term ending March 28, 2006.

Question: Shall this Resolution be ADOPTED?

11. 040085 [Appointment - Childhood Nutrition & Physical Activity Task Force]
Resolution appointing Scott Hoshida, term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force; residency requirement waived.
Scott Hoshida (residency requirement waived), new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

Question: Shall this Resolution be ADOPTED?

12. 040173 [Appointment - Lead Hazard Reduction Citizens Advisory Committee]

Resolution appointing Frances Doherty, Theodore Strong, James Forbes, and Carolyn Gold, terms ending December 22, 2005, Joe LaTorre, Neil Gendel, and Stephen Davis, terms ending December 22, 2006, and Tim Carrico, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee; residency requirement waived.

Frances Doherty (residency requirement waived), succeeding herself, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.

Theodore Strong, succeeding himself, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.

Joe LaTorre (residency requirement waived), succeeding himself, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

Neil Gendel, succeeding himself, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.

Tim Carrico, succeeding himself, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.

James Forbes, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.

Carolyn Gold, succeeding herself, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.

Stephen Davis (residency requirement waived), succeeding himself, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

Question: Shall this Resolution be ADOPTED?

13. 040267 [Appointment - San Francisco Health Authority]

Resolution appointing Gene Marie O'Connell, Dale Butler, and Steven Fields, terms ending January 15, 2006, and Maria Luz Torres, term ending January 15, 2007, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding Anthony Wagner, resigned, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.

Dale Butler, succeeding himself, term expired, seat 9, must be nominee of SF Labor Council, or any successor organization, for the unexpired portion of a three year term ending January 15, 2006.

Steven Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.

Maria Luz Torres, succeeding herself, term expired, seat 10, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three year term ending January 15, 2007.

Question: Shall this Resolution be ADOPTED?

14. 040268 [Appointment - Treasure Island Development Authority Citizens Advisory Committee]
Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.
Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

Question: Shall this Resolution be ADOPTED?

15. 040307 [Appointment - Veterans Affairs Commission]
Resolution appointing Wallace Levin, Charles Reed, and George Gibbs, terms ending January 21, 2008, to the Veterans Affairs Commission.
Wallace Levin, succeeding himself, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.
Charles Reed, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.
George Gibbs, succeeding himself, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

Question: Shall this Resolution be ADOPTED?

16. 040308 [Appointment - San Francisco Health Authority]
Resolution appointing Jeffrey Sterman, serving at the pleasure of the Board, to the San Francisco Health Authority.
Jeffrey Sterman, succeeding Supervisor Michael Yaki, resigned, seat 1, must be a member of, or designated by, the Board of Supervisors, who shall serve at the pleasure of the Board.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Alioto-Pier

17. 032029 [Extended Hours Permits]
Supervisors Duffy, Daly, Ammiano, Gonzalez
Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

1/6/2004, SUBSTITUTED. Supervisor Duffy submitted a substitute ordinance, approved as to form, bearing same title.

3/9/2004, CONTINUED. Continued to March 16, 2004

Supervisor Daly requested to be added as a co-sponsor.

3/16/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

18. 040093 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]
Mayor, Supervisor Sandoval
Ordinance appropriating \$5,460,000 of fund balance from the Water Department and \$1,540,000 of fund balance from Hetch Hetchy, for a total of \$7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of \$6,000,000 for the Program Management Organization (PMO) and \$1,000,000 for SFPUC staff and other support services.
(Fiscal impact.)

3/16/2004, AMENDED. Amended to delete release of reserved funds in the amount of \$2,500,000 from legislation in title and on page 5, lines 11-13; new title.

3/16/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be **FINALLY PASSED**?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

19. 031501 [Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]
Supervisors Gonzalez, Daly, Ammiano
- Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182, and Section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/9/2003, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

1/27/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 040137 [Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]
Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174.642 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 040138 [Mission Bay – Owens Street and 16th Street Acceptance]

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 040139 [Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 040167 [Market Street Truck Loading Bays]

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040168 [Modification of traffic regulations at Oak and Laguna Streets]

Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 040169 [Modification of traffic regulations at the intersection of Fell and Laguna Streets]

Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 040165 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Missouri Street, both sides, between 20th and 22nd Streets (500 and 600 blocks); and
Sierra Street, north side, between Missouri and Texas Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly;

Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street (extends existing 35-foot zone by an additional 50 feet); and

Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Ellis Street, south side, from Laguna Street to 350 feet westerly (legislates existing conditions);

Waller Street, north side, from Divisadero Street to Broderick Street (legislates existing conditions);
and

Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus (unit block).

NO PARKING ANYTIME - RESCIND

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Nido Avenue, west side, between Turk and Vega Streets; and

Vega Street, north side, between Anza Vista and Nido Avenues.

TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY -
RESCIND

10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY - RESCIND

PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) -
EXTEND

Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY - ESTABLISH

3rd Street, both sides, from Mission to Market Streets; and

3rd Street, west side, from Howard to Mission Streets.

(Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Question: Shall this Resolution be ADOPTED?

27. 040178 [Traffic Regulations]
Resolution enacting traffic regulation on Octavia Frontage Road, southbound, at Fell Street.

RIGHT TURN ONLY, EXCEPT BICYCLES - ESTABLISH

Octavia Frontage Road, southbound, at Fell Street.

(Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

2/3/2004, REFERRED to Land Use Committee. Divided from File No. 032007

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Ammiano

28. 040193 [Public Utilities Citizens' Advisory Committee]
Supervisors Ammiano, Maxwell
Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 040252 [Board of Supervisors Meeting Schedule - Week of May 3, 2004]
Supervisor Gonzalez
Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 41

32. 040320 [Interdepartmental jurisdiction transfer of the Geneva Office Building and Powerhouse]
Supervisor Sandoval
Resolution transferring jurisdiction over the Geneva Office Building and Powerhouse, located at the corner of Geneva Avenue and San Jose Avenue, from the Municipal Transportation Agency to the Recreation and Park Commission for recreational uses; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 040323 [Develop, implement, and evaluate selected training programs for clinical and related professionals]
Supervisor Hall
Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an agreement which includes an indemnification clause, with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of \$7,500 for research services, for the period of July 1, 2003 to June 30, 2004.

3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

34. 040338 [Recognizing the memory of the legendary San Francisco Entertainer Sylvester]
Supervisor Annmiano
Resolution recognizing the historic performance by Sylvester at the San Francisco Opera House on March 11, 1979 and commend those who will use their political, spiritual and performing arts gifts on March 22, 2004 at the Herbst Theatre in the San Francisco War Memorial Performing Arts Center to donate funds and raise the consciousness of the community in the fight against the AIDS pandemic in Africa by proclaiming March 22, 2004 as SYLVESTER Day in the City and County of San Francisco.
- 3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 040339 [Accept-Expend State Grant]
Supervisor Alioto-Pier
Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$23,322 from the California Governor's Office on Service and Volunteerism for the Neighborhood Emergency Response Team Program.
- 3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 040340 [Opposing Section 484(r) of the Higher Education Act]
Supervisors Gonzalez, Maxwell
Resolution opposing Section 484(r) of the Higher Education Act.
- 3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 040342 [Commending the California High Speed Rail Authority]
Mayor, Supervisor Peskin
Resolution commending the California High Speed Rail Authority as they begin their statewide public hearing process to finalize the EIR/EIS process.
- 3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 040264 [Final Map for 5 Unit Commercial/Residential Condominium Project - 2346 Clement Street]
Motion approving Final Map of 2346 Clement Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1409, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,714; District No. 1.)
- 3/12/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

39. 040265 [Final Map for a 13 Unit Residential Condominium Project - 1598 Dolores Street]
Motion approving Final Map of 1598 Dolores Street, a Residential Condominium Project, being a subdivision of Lot 39 in Assessor's Block No. 6618, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,713; District No. 8.)

3/12/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

40. 040317 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

41. 040345 [Possible Removal and Replacement of the Vaillancourt Fountain in Justin Herman Plaza]
Supervisor Peskin
Resolution urging the Recreation and Park Department and the Arts Commission, in consultation with the City Attorney's Office, the Port Commission and the Department of Public Works, to consider the possible removal and replacement of the Vaillancourt Fountain from Justin Herman Plaza with alternative works of art or public areas and to explore possible funding sources for such removal and replacement.

3/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda:*_____

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 9, 2004 through March 15, 2004, for reference by President to appropriate committee on March 23, 2004.
NONE.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 9, 2004 through March 15, 2004, for reference by President to appropriate committee on March 23, 2004.

040269 [John Muir Drive Declaration of Emergency]

Resolution declaring a public emergency at John Muir Drive as a result of the unstable conditions caused by heavy rains and directing and authorizing the Director of the Department of Public works to take necessary measures in the most expeditions manner to protect the health, welfare and property of the citizens of the City and County of San Francisco.
(Public Works Department)

3/12/2004, RECEIVED AND ASSIGNED to City Services Committee.

040306 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$191,205 of State Traffic Systems Management funds for Municipal Railway Transit Signal System Preemption Projects, excluding Administrative Overhead costs.

3/9/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040355 [Petitions and Communications]

Petitions and Communications received from March 9, 2004 through March 15, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 23, 2004.

From Office of the Public Defender, regarding request for ideas and input on how a Controller's Community Audit can identify community needs, assess community benefit programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco. (Reference No. 20040210-015) Copy: Supervisor Dufty (1)

From the Port, submitting a detailed status report on the Port's plans for Pier 70 and Piers 90-96, the Backlands, including the departments' proposed budget, planning process, timeline and any RFP's being considered for the areas. (Reference No. 20040203-027) Copy: Supervisor Maxwell (2)

From various signators, submitting Form 700 Statement of Economic Interests: Harvey Rose, Madeleine Licavoli, David Owen, Gabriel Cabrera, Adam Van De Water, Stanton W. Jones, David J. Canepa, Jaynry Mak, Frances Hsieh, Gregory Asay, Erasmo Vazquez (3)

From Independent Living Resources Center, submitting copy of letter sent to Department of Public Works regarding the installation of a curb cut on the corner of New Montgomery and Jessie Street. (4)

From Department of Parking and Traffic, regarding request for a school crosswalks at Claire Lillenthal School at Arguello Boulevard at Clay Street. (5)

From Departments of the Army and the Air Force, regarding the scope and costs of programs and activities addressing security of the entire waterfront in San Francisco. (Reference No. 20040203-012) Copy: Supervisor Alioto-Pier (6)

From Police Department, submitting statistics concerning implementation of the Aggressive Solicitation Ban, a proposition approved by voters on November 4, 2003. (Reference No. 2004127-006) Copy: Supervisor Gonzalez (7)

From Department of Public Health, submitting notification of emergency fire restoration work at Laguna Honda Hospital on March 3, 2004. (8)

From Planning Department, submitting notice of continuance to April 1, 2004 of hearing on appeal of the Preliminary Negative Declaration concerning the update of the Housing Element of the San Francisco General Plan. Copy: Each Supervisor (9)

From Office of the Treasurer, regarding investment activity (for fiscal year to date) of the portfolios under management. (10)

From Alliance for a Clean Waterfront, submitting support for the creation of a Public Utilities Commission Citizens Advisory Committee. (11)

From Office of the City Attorney, submitting report for the number of hours of service provided to the Board of Supervisors on confidential matters in January 2004. (12)

From Office of the City Attorney, submitting report for the number of hours of service provided to the Board of Supervisors in January 2004. (13)

From Round the Diamond, regarding increasing voter turnout in San Francisco. (14)

From Bay Area Quality Management District, submitting copy of letter sent to constituent regarding pedestrian safety and the Page Street Traffic Calming project. (15)

From Department of Public Health, regarding request for ideas and input on how a Controller's Community Audit can identify community needs, assess community benefit programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco. (Reference No. 20040210-005) Copy: Supervisor Dufty (16)

From Office of the Controller, submitting cost analysis of an amendment to the MOU between CCSF and the International Federation of Professional and Technical Engineers, Local 21. (17)

From Comcast Communications Inc., submitting notice that customers of Comcast Cable will have access to NBA TV starting April 1, 2004. (18)

From Charlotte Breckenridge, submitting support for establishing an independent Library Citizens Advisory Committee. File 020585, Copy: Each Supervisor (19)

From Elaine Wellesley, submitting request for approval of a Type 9, 17 and 20 liquor license for Evocations Creative Wine Concepts at 70 Zoe Street. (20)

From Marilyn Amini, submitting petition requesting that proposed resolution regarding "Same-Sex Marriage" be sent to Committee for public input. File 040201 (21)

From concerned citizens, urging the Board to direct the Fire Chief to change proposed plan to hire 96 single-function firefighters, and instead hire 96 paramedic-licensed recruits. (22)

From Police Department, submitting list of grant-funded programs which allow the Police Department to provide additional patrol or other special services. (Reference No. 20040210-011) (23)

From Castro Area Planning Action, submitting support for proposed resolution urging the Governor to consider postponing further construction work on the Central Freeway to allow the City to study alternate configurations that will create a better environment for the neighborhoods directly adjacent to the proposed route. (24)

From concerned citizens, submitting support for proposed ordinance regulating formula retail businesses in Neighborhood Commercial Districts. (25)

From Irene Lee, urging the Board to fully fund the Employee Assistance Program (EAP). (26)

From concerned citizens, commenting on the SFPUC Deputy Director spending \$4,000 to repaint a city-owned vehicle. (27)

From concerned citizens, submitting opposition to installing parking meters in Golden Gate Park. Copy: Supervisors Dufty, Daly, Gonzalez, Maxwell, Ma, Sandoval (28)

From James Chaffee, submitting a newspaper article from the "Night Cabbie" regarding the old main library. Copy: Each Supervisor (29)

From Jon Gomwalk, submitting report from the SF League of Urban Gardeners (SLUG) regarding an internal investigation into events surrounding the December 9, 2003 run-off election. Copy: Each Supervisor (30)

From Mesha Monge-Irizarry, submitting her concern with Bay Area Police Watch and the Idriss Stelley Foundation participating in police training, crisis intervention, cultural awareness and citizen training, whichever starts first. (31)

From Bill Quan, concerning proposed Health Code amendment regarding relocation of persons affected by lead hazards. File 031992 (32)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEP

MAR 26 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 30, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 9, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

1. 040014 [Liquor License Transfer, 576 Green Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 311 California Street #700 to 576 Green Street (District 3), to Daniel M. Melgar, Jr. for Occidental Cigar Clubs, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

2. 040136 **[Liquor License Transfer, 709-711 Clement Street]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 118 Sagamore Street to 709-711 Clement Street (District 1), to Karen Wong for Richmond New May Wah Supermarket Inc., will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

3. 040162 **[Liquor License, 1350 Powell Street]**
Resolution determining that the issuance of a Type 48 on-sale general public premises license to Robert Nunez, Steve Engelbrecht, and Craig Britton dba the Blind Tiger located at 1350 Powell Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

4. 040321 **[Settlement of Lawsuit - United Air Lines, Inc., et al.]**
Supervisor Daly
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

5. 040137 **[Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]**

Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

3/23/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 040138 **[Mission Bay - Owens Street and 16th Street Acceptance]**

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

3/23/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 040139 [Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]
Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance.
(Public Works Department)
- 3/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 040167 [Market Street Truck Loading Bays]
Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets.
(Parking and Traffic Department)
- 3/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 040168 [Modification of traffic regulations at Oak and Laguna Streets]
Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)
- 3/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 040169 [Modification of traffic regulations at the intersection of Fell and Laguna Streets]
Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times.
(Parking and Traffic Department)
- 3/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

11. 040160 **[Settlement of Lawsuit - Maria Trapalis-Baird]**
Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)
- 3/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
12. 040161 **[Settlement of Lawsuit - Clara Tempongko, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Tempongko, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)
- 3/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
13. 040217 **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)
- 3/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
14. 040218 **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**
Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)
- 3/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**

15. 040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]
Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al.
(City Attorney)

3/23/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Ammiano

16. 040193 [Public Utilities Citizens' Advisory Committee]
Supervisors Ammiano, Maxwell
Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

3/23/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Consideration of Mayor's Veto

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance to prohibit demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation.

17. 031739 [Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]
Supervisors Daly, Maxwell, Ammiano

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 5, 2004. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before April 5, 2004.

(March 5, 2004 - Vetoed by Mayor.

March 9, 2004 - Consideration scheduled for March 30, 2004.)

2/10/2004. PASSED, ON FIRST READING.

2/24/2004. FINALLY PASSED.

Action: _____

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

18. 031501 [Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]

Supervisors Gonzalez, Daly, Ammiano

Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182, and Section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/9/2003, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

1/27/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

3/23/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma

18. (40)276 [Supporting OURx Bill of Rights]
Supervisors Peskin, Sandoval, Ma, Duffy
Resolution supporting the Senior Action Network's OURx Bill of Rights and urging the California State Legislature to approve the legislative package.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Aramayo

20. (40)095 [Public Employment - ~~Human Rights Department~~]
Mayor
Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 3 positions (1.00 FTE) in the Water Department, 1 position (0.25 FTE) at the Human Rights Commission, and 1 position (0.25 FTE) at the Human Resources Department.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. (40)219 [Administrative Code Revision: Health Service System]
Supervisor Daly
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.705 regarding Board approval of Health Service System Plans and Contribution Rates.
(Human Resources Department)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. (40)002 [Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]
Mayor
Ordinance appropriating \$1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 040094 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program, Program PEIR, and the intertie between EBMUD and San Francisco's water supply system]
Mayor
Ordinance appropriating \$2,747,247 of personnel-operating fund balance from the Water Department and \$12,985,734 of Proposition A Bond funds, for a total of \$15,732,981 for: \$2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which \$595,627 is retroactive, \$8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and \$4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which \$400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

24. 040230 [Conforming with official street name change - Cesar Chavez Street]
Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors McGoldrick, Maxwell, Ammiano

25. 040114 [Urging the Governor to consider postponing further Central Freeway touchdown ramp construction]
Supervisor Dufty
Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.
Supervisor McGoldrick dissented in committee.

2/3/2004. REFERRED to Land Use Committee. Supervisor McGoldrick requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

APPEAL PROCEDURE

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

SPECIAL ORDER 4:00 P.M.**26. 040310 [Public Hearing - Mitigated Negative Declaration - 8 Washington Street (aka 370 Drumm Street)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 1, 2003 and amended February 5, 2004, Case No. 2002.0376E, approving a mitigated negative declaration for the proposed construction project located at 8 Washington Street (aka 370 Drumm Street), on Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058; and to the decision of the Planning Commission by its Motion No. 16725 dated February 5, 2004, approving Conditional Use Application No. 2002.0376C, subject to certain conditions, and Planned Unit Development authorizing the construction of an eight-story 84-foot high mixed-use building containing up to 120 dwelling units, a garage with up to 157 parking spaces and outdoor recreation facilities within an RC-4 (Residential-Commercial Combined, High Density) District and an 84-E Height and Bulk District, located at 8 Washington Street (aka 370 Drumm Street), northeast corner of Washington and Drumm Streets; Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058.

(Appeal filed by Sue Hestor, attorney for Friends of Golden Gateway and subscribed by Supervisors Aaron Peskin, Jake McGoldrick, Chris Daly, Sophie Maxwell, and Matt Gonzalez.)

(Companion measure to Files 040310, 040331, 040332, 040333, 040255, 040256, 040257, 040258; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

27. 040331 [Adopting the mitigated negative declaration approved for 8 Washington Street (aka 370 Drumm Street)]

Motion adopting the final mitigated negative declaration issued for 8 Washington Street and affirming the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

(Clerk of the Board)

(Companion measure to Files 040254, 040331, 040332, 040333.)

Question: Shall this Motion be ADOPTED?

28. 040332 [Disapproving the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]

Motion disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

29. 040333 [Preparation of findings to disapprove the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]

Motion directing the Clerk of the Board to prepare findings disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

30. 040258 [Environmental Review - 8 Washington Street (aka 370 Drumm Street)]

Motion certifying review of Preliminary Mitigated Negative Declaration relating to proposed Conditional Use of Property at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

(Only one of the following two motions should be adopted.)

31. 040255 [Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]
Motion approving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
32. 040256 [Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street).
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
33. 040257 [Findings - 8 Washington Street (aka 370 Drumm Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following items will be considered by the Rules Committee at a Special Meeting on Wednesday, March 24, 2004. The Chair intends to request the Committee to send the following items to the Board as a committee report.

34. 031508 [Amending the Rules of the Board to provide the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]
Supervisor Daly
Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.
- Question: Shall this Motion be ADOPTED?

35. 040354 [Appointment - Golden Gate Bridge, Highway and Transportation District]
Resolution appointing Supervisor Michela Alioto-Pier, term ending January 31, 2005 to the Board of Directors, Golden Gate Bridge Highway and Transportation District.
Supervisor Michela Alioto-Pier, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.
Supervisor Alioto-Pier excused.

Question: Shall this Resolution be ADOPTED?

36. 040271 [Appointment - Urban Counties Caucus]
Resolution appointing Supervisor Chris Daly, term ending December 31, 2004 to the Urban Counties Caucus.
Supervisor Chris Daly, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2004.

Question: Shall this Resolution be ADOPTED?

37. 040337 [Establishing Joint City and School District Select Committee]
Supervisor Gonzalez
Motion establishing a Joint City and School District Select Committee.

Question: Shall this Motion be ADOPTED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 50

40. 040374 **[Accept - Expend Federal Grant]**
 Supervisor Alioto-Pier
Resolution authorizing the San Francisco Port Commission to accept and expend a federal grant in the amount of \$450,000.00 from the Federal Transportation Security Administration to enhance facility and operational security at the Port's cargo terminal at Pier 80.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
41. 040377 **[Commending Senior Deputy Fabian Brown]**
 Supervisor Ammiano
Resolution commending Senior Deputy Fabian Brown for her outstanding public service in City Hall on March 22, 2004.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
42. 040378 **[Opposition to Budget Cuts to Higher Education]**
 Supervisor Ma
Resolution urging Governor Schwarzenegger and State Legislators to provide College Access for All Californians by opposing Budget Cuts to Higher Education.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
43. 040379 **[Voter Education Regarding Instant Runoff Voting]**
 Supervisor Gonzalez
Resolution urging the Department of Elections and Elections Commission to immediately begin voter education and outreach regarding the use of instant runoff voting for the November 2004 election.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

44. 040380 [Accept-Expend Corporate Grant]
Supervisor Peskin
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$50,000 from the Pacific Gas and Electric Company to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 040381 [Accept-Expend Foundation Grant]
Supervisor Peskin
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$25,000 from the Richard and Rhoda Goldman Fund to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 040382 [Fairness and Safety for Employees in San Francisco Residential Buildings]
Supervisors Peskin, Ammiano, Daly, Gonzalez
Resolution supporting the Service Employees International Union, Local 1877, in their efforts to maintain and improve standards for residential building service workers and the quality of service in San Francisco's residential buildings, and to call on Frank and Walter Lembi to re-establish the high quality, family-supporting jobs at Nob Hill Towers.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 040383 [Revenue Bonds - ABAG Finance Authority]
Supervisor Peskin
Resolution recommending approval of the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30 million for the improvement, including seismic safety improvements, to two buildings located at 690 Market (Assessor's Block 0311, Lot 006) and 938-942 Market Street (Assessor's Block 341, Lot 005) (collectively, the "Buildings"), and making findings.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 040386 [Dolores Huerta Reappointment]
Supervisors Sandoval, Ammiano, Alioto-Pier, Dufty
Resolution supporting the reappointment of Dolores Huerta to the University of California Board of Regents.
- 3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

49. 040387 [Commending William Breall]**Supervisor Sandoval**

Resolution commending William Breall for his tireless efforts to improve the health of San Franciscans through both research and teaching, his promotion of Jewish community services, and for extending his talents to other neighborhood projects.

3/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 040303 [Final Map for a 6 Unit Residential Condominium Project - 929, 931, 933, 935, 937 & 939 Vermont Street]

Motion approving Final Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project, being a subdivision of Lot 115 in Assessor's Block No. 4093, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(DPW Order No. 174,726; District 10.)

3/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 16, 2004 through March 22, 2004, for reference by President to appropriate committee on March 30, 2004.

040299 [Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]

Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/22/2004, RECEIVED AND ASSIGNED to Rules Committee.

040300 [Settlement of Lawsuit - Anthony Bell]

Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/22/2004, RECEIVED AND ASSIGNED to Rules Committee.

040301 [Approval of taxicab color scheme transfers]

Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme.
(Taxi Commission)

3/18/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040302 [Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]

Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application.
(Taxi Commission)

3/18/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 16, 2004 through March 22, 2004, for reference by President to appropriate committee on March 30, 2004.

040298 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,987,000 of Federal Transit Administration Section 70 funds for the Municipal Railway's NextBus Real Time Vehicle Information project, excluding administrative overhead costs.
(Municipal Transportation Agency)

3/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040398 [Petitions and Communications]

Petitions and Communications received from March 16, 2004 through March 22, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 30, 2004.

From Department of Parking and Traffic, regarding request for traffic studies at two intersections in Visitation Valley: Wilde Avenue/Goettingen Street and Tioga Avenue/Alpha Street. (Reference No. 20040224-001) Copy: Supervisor Maxwell (1)

From Department of Parking and Traffic, regarding request for implementing traffic calming measures (such as speed humps) on Orizaba Avenue. (Reference No. 20040224-005) Copy: Supervisor Sandoval (2)

From Department of Parking and Traffic, regarding request for additional pedestrian safety measures, such as flashing crosswalk lights, for the intersection of San Bruno Avenue/Felton Street. (Reference No. 20040224-001) Copy: Supervisor Maxwell (3)

From Golden Gate Bridge, Highway and Transportation District, regarding security associated with the leased area at the San Francisco ferry terminals. (Reference No. 20040203-006) Copy: Supervisor Alioto-Pier (4)

From District Attorney, submitting notice that the District Attorney's Office will participate in a gun buy back program. (Reference No. 20040203-019) Copy: Supervisor Daly (5)

From Coalition for San Francisco Neighborhoods, submitting support for establishing an independent Library Citizens Advisory Committee. File 020585, Copy: Each Supervisor (6)

From Department of Public Health, regarding the department's efforts to address the impact of violent incidences such as the recent killing of Scharod Felming on secondary victims such as witnesses, family members, friends and classmates. (Reference No. 20040127-008) Copy: Supervisor Daly (7)

From Police Department, regarding the Police Department's involvement in gun buy back programs. (Reference No. 20040203-017) Copy: Supervisor Daly (8)

From Department of Human Services, regarding how a Controller's community audit could be used to improve the quality of life in the Southeast neighborhoods of San Francisco. (Reference No. 20040210-006) Copy: Supervisor Duffy (9)

From Public Utilities Commission, regarding how a Controller's community audit could be used to improve the quality of life in the Southeast neighborhoods of San Francisco. (Reference No. 20040210-020) Copy: Supervisor Duffy (10)

From Office of the City Attorney, submitting notice that appeal for categorical exemption of property at 450 Frederick Street was filed in a timely manner and should be calendared before the Board of Supervisors for a public hearing. File 040311 (11)

From Office of the City Attorney, submitting memorandum to clarify the Treasure Island Development Authority's (TIDA) relationship to the Board of Supervisors with regard to legislation of the Board of Supervisors directing TIDA to create certain non-voting ex-officio memberships on TIDA's Board of Directors. Copy: Each Supervisor (12)

From Sue Hestor, requesting the Conditional Use Appeal for 8 Washington Street be continued to April 13, 2004. (13)

From Sue Hestor, submitting copy of letter sent to Supervisor Peskin regarding Conditional Use Appeal at 8 Washington Street. File 040254 (14)

From Coblentz, Patch, Duffy & Bass LLP, regarding request for extension of Conditional Use Authorization appeal of 8 Washington Street before the Board of Supervisors for a public hearing to April 13, 2004. File 040254, Copy: Each Supervisor, 2 letters (15)

From Frank Stein, submitting opposition to proposed construction project at 8 Washington Street (aka 370 Drumm Street). File 040254, Copy: Each Supervisor (16)

From Police Department, regarding how a Controller's community audit could be used to improve the quality of life in the Southeast neighborhoods of San Francisco. (Reference No. 20040210-011)
Copy: Supervisor Daly (17)

From State Wildlife Conservation Board, submitting meeting minutes for November 18, 2003. (18)

From District Attorney, regarding how a Controller's community audit could be used to improve the quality of life in the Southeast neighborhoods of San Francisco. (Reference No. 20040210-012)
Copy: Supervisor Duffy (19)

From Mission Housing Development Corporation, submitting copy of notice sent to residents of Mission Housing Development that they are not in any danger of losing their apartments. (20)

From Mayor's Memorial Day Citizens Committee, announcing that the 136th Memorial Day Ceremony will be held at the Presidio's National Cemetery, on May 31, 2004 at 10:30 a.m. Copy: Each Supervisor (21)

From Safety Belt Safe U.S.A., urging the Board to make Safety Seat Checkup Week, April 18-24, 2004, a special event in San Francisco. Copy: Each Supervisor (22)

From Alexander Gutkin, submitting opposition to appeal of the Planning Department's Certificate of Determination of Exemption/Exclusion from Environmental Review on 450 Frederick Street. (23)

From concerned citizens, submitting their views on same sex marriages. (24)

From Employees' Retirement System, regarding proposed Charter Amendment to enhance the miscellaneous retirement plan benefit. File 040009, Copy: Supervisor Sandoval (25)

From Philip Gangi, commenting on proposed taxi legislation. File 040343, Copy: Each Supervisor (26)

From Mayor of the City of Arcata, urging the Board and Mayor to challenge Proposition 22 on Constitutional grounds the California Defense of Marriage Act for the legality of marriages in the City and County of San Francisco. (27)

From S.F. Association of Realtors, submitting opposition to proposed ordinance regulating formula retail use in San Francisco. File 03150, Copy: Each Supervisor (28)

From Kevin Williams, regarding resolution adopted by the Sunshine Ordinance Taskforce urging the Human Rights Commission and the City Attorney's Office to produce public records of 10 Human Rights Commission employee's computer hard-drive files. (29)

From Public Utilities Commission, submitting copy of the "Debt Management Policies and Procedures" report adopted on March 9, 2004. (30)

From Recreation and Park Department, submitting quarterly report in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. Copy: Supervisors Maxwell, Daly (31)

From State Department of Health Services, submitting notice of approval of the San Francisco County FY2003-04 Plan and budgets for carrying out Child Health and Disability Prevention program requirements per State Health and Safety Code. (32)

From Mayor's Budget Office, Board of Supervisors Budget Analyst and Office of the Controller, submitting a three-year general fund budget projection for the City and County of San Francisco, for fiscal year 2004-05 through fiscal year 2006-07. Copy: Each Supervisor (33)

From Department of Parking and Traffic, regarding plans to address traffic concerns at the intersection of Bayshore Boulevard and Blanken Avenue. (Reference No. 20040244-002) Copy: Supervisor Maxwell (34)

From Employees Retirement System, regarding investments of City funds or employee retirement funds in companies that are doing business with counties that sponsor or have sponsored terrorism. (Reference No. 20040127-001) Copy: Supervisor McGoldrick (35)

From Human Rights Commission, regarding how a Controller's community audit could be used to improve the quality of life in the Southeast neighborhoods of San Francisco. (Reference No. 20040210-019) Copy: Supervisor Duffy (36)

From concerned citizens, submitting support for proposed ordinance regulating formula retail use in San Francisco. File 03150, Copy: Each Supervisor (37)

From Neal Rogers, regarding what plans if any the new Mayor has regarding the San Francisco Grand Prix/T-Mobile International bicycle race in September. Copy: Each Supervisor (38)

From Jeremy Nelson, regarding construction of a retaining wall in the sidewalk right-of-way for a private driveway at 715 and 719 Peru Avenue. File 040228, Copy: Land Use Committee (39)

From Department of Parking and Traffic, submitting brochure on how traffic calming makes San Francisco streets more livable. (40)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 25, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Ordinance amending SF Admin Code 2B.21 and 2B.22 production and inspection demand procedures and pre-hearing conference procedures before the Assessment Appeals Board	040274	Rules Committee	Supervisor Daly	3/9/04	4/10/04
Ordinance amending Chapter 62 amending Domestic Partnership requirements.	040318	Rules Committee	Supervisor Ammiano	3/16/04	4/15/04
Ordinance amending Sections 221, 790.36 and 890.36 of Planning Code prohibiting adult entertainment within 1000 feet of schools, childcare facilities and playgrounds.	040324	Land Use Committee	Supervisor Hall	3/16/04	4/15/04
Ordinance amending Planning Code deleting code requirement that changes in retail coffee store or pharmaceutical and personal toiletries are subject to the notification and review procedures of Section 312	040365	Land Use Committee	Supervisor Gonzalez	3/23/04	4/24/04

Board of Supervisors
City and County of San Francisco
1 Dr Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689



**City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors**

DOCUMENTS DEPT

APR - 5 2004

SAN FRANCISCO
PUBLIC LIBRARY

General Notice

Transmitted 04-01-2004

A public hearing will be held on 4/13/04 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

040311 [Categorical Exemption Appeal – 450 Frederick Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2003, Case No. 2003.1108E, approving a categorical exemption under the California Environmental Quality Act for the proposed demolition of a single-family residence and construction of a three-unit residence located at 450 Frederick Street, Assessor's Block 1262, Lot 012. (Appellants: Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen, Marjorie Beggs.)

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

APR - 9 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 13, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve March 16, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the City Services Committee

Present: Supervisors Ma, Hall

1. 031903 [Liquor License Transfer, 55 Natoma Street]
Resolution determining that transfer of Type 48 on-sale general public premises liquor license and Type 47 on-sale general eating place license to Lawrence P. Lin dba Loop Studio, Inc. from 2299 Van Ness Avenue to 55 Natoma Street (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

2. 04/018 [Liquor License, 199 Eighth Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Gillies W. Desaulniers for CA Harvest Healthy Foods Ranch Market Inc. located at 199 Eighth Street (District 6) will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

3. 04/063 [Liquor License, 70 Zoe Street]
Resolution determining that the transfer of a Type 9 (beer and wine importer), Type 17 (wholesaler) and Type 20 (off-sale beer and wine), alcoholic beverage control licenses, from 735 - 10th Avenue in 70 Zoe Street (District 6), to Enovations Creative Wine Concepts, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

4. 04/002 [Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]
Mayor
Ordinance appropriating \$1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.
(Fiscal impact.)

5/30/2004: PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 04/094 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program, Program PEIR, and the intertie between EBMUD and San Francisco's water supply system]
Mayor
Ordinance appropriating \$2,747,247 of personnel-operating fund balance from the Water Department and \$12,985,734 of Proposition A Bond funds, for a total of \$15,732,981 for: \$2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which \$595,627 is retroactive, \$8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and \$4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which \$400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.
(Fiscal impact.)

5/30/2004: PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 040095 [Public Employment]
Mayor
Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 4 positions (1.00 FTE) at the Water Department, 1 position (0.25 FTE) at the Human Rights Commission, and 1 position (0.25FTE) at the Human Resources Department.
(Fiscal impact.)

3/30/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 040219 [Administrative Code Revision: Health Service System]
Supervisor Daly
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Human Resources Department)
(Fiscal impact.)

3/30/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 040321 [Settlement of Lawsuit - United Air Lines, Inc., et al.]
Supervisor Daly
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

3/30/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

9. 040230 [Conforming with official street name change - Cesar Chavez Street]
Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street.
(Parking and Traffic Department)

3/30/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Maxwell

10. 040306 **[Grant of Regional Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$191,205 of State Traffic Systems Management funds for Municipal Railway Transit Signal System Preemption Projects, excluding Administrative Overhead costs.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

11. 040261 **[Settlement of Lawsuit - Laura Bianchi]**
Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 040259 **[Settlement of Claim - Weston Ngo]**
Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

13. 040260 **[Settlement of Claim - Suzanna Hernandez]**
Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

14. 040397 **[Appointment - Sunshine Ordinance Task Force]**
Resolution appointing Nicole Dogwill, Richard Knee, Sue Cauthen, Heather Sterner, Doug Comstock, David Pilpel, Garrett Jenkins, Edgar Parker Jr, and Alexandra Nickliss terms ending April 27, 2006 to the Sunshine Ordinance Task Force.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

15. 040390 [Findings for disapproval of decision of the mitigated negative declaration for 8 Washington Street]

Motion setting forth findings to disapprove the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

(Clerk of the Board)

(Companion measure to Files 040310, 040331, 040332, 040333.)

4/6/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

16. 040373 [Public Defender Requisition Request]
Supervisor Gonzalez
Resolution granting the Office of the Public Defender's Requisition #PE4018/1074384.

Question: Shall this Resolution be ADOPTED?

17. 040438 [Public Defender Requisition Request]
Supervisor Gonzalez
Motion granting the Office of the Public Defender's Requisition #PE4018/1074384.

Question: Shall this Motion be APPROVED?

Recommendations of the City Services Committee

Present: Supervisors Ma, Hall

18. 030409 [Grants Federal Funds - Municipal Railway]
Supervisor Dufty
Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

19. 040022 [Liquor License Transfer, 561 Geary Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 622 Polk Street to 561 Geary Street (District 6), to Brian T. Sheehy for Electrocelt Promotions Inc. dba "Swig", will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

20. 021505 **[Ordinance adding Section 21.25-3 to the Administrative Code]
Supervisors Ammiano, Daly**

Ordinance adding Section 21.25-3 to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 040099 **[Dept. of Administrative Services to provide services to public entities]
Supervisor Dufty**

Ordinance authorizing the Department of Administrative Services to enter into written agreements with other public entities to provide the public entities with publishing, copying, printing and/or mail services, and ratifying and approving any actions heretofore taken by the Department of Administrative Services to provide such services to public entities.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Ammiano

22. 040100 **[Process for Sale of Real Property]
Supervisor Peskin**

Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 040262 **[Mayor's Summer Food Service Program]**

Resolution authorizing the Department of Children, Youth, and Their Families to accept and expend a grant in the amount of \$599,215 from the United States Department of Agriculture for the 2004 Mayor's Summer Food Service Program.
(Mayor)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Daly, Peskin, Ammiano

24. 040272 [Public Employment]
Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the deletion of 187.4 positions in the following departments: Administrative Services, Adult Probation, Adult and Aging Services, Airport, Assessor, Convention Facilities, Emergency Communications, Environment, Human Resources, Juvenile Probation, Municipal Transportation Agency, Police, Public Health, Recreation and Park, Sheriff and Telecommunication and Information Services. (Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano

25. 040037 [Lease of Real Property - 1145 Market Street]

Resolution authorizing the lease of 30,790 sq. ft. of office space in the building located at 1145 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

26. 040147 [General Plan Amendment in connection with Downtown Housing Demonstration Special Use District]
Supervisor Peskin

Ordinance amending the San Francisco General Plan to change the height and bulk classification in connection with approvals for the proposed Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 040184 [Zoning Map Amendment in connection with Downtown Housing Demonstration Special Use District]

Supervisor Peskin

Ordinance amending Zoning Map Section 1H and 1SU of the City and County of San Francisco for the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 031791 [Special Use District to eliminate certain zoning requirements for residential uses in the Downtown consistent with a proposed ordinance to facilitate housing in the Downtown]
Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.26 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) and making findings. The proposed Special Use District would eliminate floor area restrictions and maximum dwelling unit density limits and would allow exceptions to open space requirements and dwelling unit exposure requirements for new residential uses be granted through the process outlined in Planning Code Section 309. The proposed Special Use District would also increase the maximum height and bulk allowed in the district from 250-S to 285-S, and would require that residential projects be subject to the 12 percent (on-site) and 17 percent (off-site) Inclusionary Affordable Housing Program Requirements found in Section 315.3(a)(2).

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 040366 [Conditionally Designate 690 Market, the Chronicle Building, as a Landmark Under Planning Code Article 10]

Supervisor Peskin

Ordinance conditionally designating 690 Market, the Chronicle Building, as Landmark No. 243 pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

30. 040367 [Board Off-site Meetings]
Supervisor Ammiano

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURE**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

31. 040311 **[Public Hearing - Appeal of Categorical Exemption - 450 Frederick Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2003, Case No. 2003.1108E, approving a categorical exemption under the California Environmental Quality Act for the proposed demolition of a single-family residence and construction of a three-unit residence located at 450 Frederick Street, on Assessor's Block 1262, Lot 12. (Appellants: Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen, Marjorie Beggs.) (Appeal filed March 8, 2004; companion measure to Files 040312, 040313, 040314; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

32. 040312 **[Affirming the categorical exemption issued for 450 Frederick Street]**
Motion affirming the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. 040313 [Disapproving the categorical exemption issued for 450 Frederick Street]
Motion disapproving the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
34. 040314 [Preparation of findings related to the categorical exemption issued for 450 Frederick Street.]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

37. 040414 [Legislative Analyst Request - Selection of consultants for projects under environmental review by the Planning Department]
Supervisor Maxwell
Motion requesting the Office of the Legislative Analyst to provide research assistance to the Board of Supervisors regarding the selection of consultants for projects under environmental review by the Planning Department. Delineate the current selection process by the City and County of San Francisco and provide an analysis of alternative consultant selection processes utilized by other municipalities. Please include in this analysis the role of the department, the project sponsor, and interested members of the community.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 38 through 46

38. 040417 **[Declaration of Election Results]**
 Supervisor Dufty
 Resolution declaring the results of the March 2, 2004 Consolidated Primary Election.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 040418 **[Urging City Departments to investigate the viability of Jim Reid's Shelter-One house for use as a model homeless shelter]**
 Supervisors Gonzalez, Dufty
 Resolution urging the Mayor's Office of Homelessness, the Department of Building Inspection, and the Planning Department to investigate the viability of using Jim Reid's Shelter-One (the smallest house in San Francisco) as a potential homeless shelter in a test pilot project.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 040419 **[Public Safety Telecommunicators Week]**
 Supervisors Ma, Dufty
 Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 11, 2004 through April 17, 2004 as "Public Safety Telecommunicators Week" in the City and County of San Francisco.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 040420 **[Supporting statewide ballot initiative]**
 Supervisors Maxwell, Dufty
 Resolution supporting a statewide ballot initiative to require voter approval before state government may take local tax funds.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

42. 040421 [Supporting AB 2146]
Supervisor Peskin
Resolution urging the California State Legislature to support AB 2146, legislation to extend the season for dungeness crab fishing in the San Francisco Bay, and limiting the number of traps allowed on each vessel.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 040422 [In Home Supportive Services (IHSS)]
Supervisors Sandoval, Dufty
Resolution supporting In Home Supportive Services (IHSS) providers, seniors and people with disabilities and opposing proposed state funding reductions.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 040423 [Authorizing DHS to request an ABAWD Waiver from the State Department of Social Services]
Supervisor Sandoval
Resolution authorizing the Department of Human Services to request an ABAWD Waiver from the State Department of Social Services.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 040400 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
46. 040424 [Office of the Legislative Analyst; Budget Consideration]
Supervisor Sandoval
Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.
- 3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
- Questions on the For Adoption Without Committee Reference Agenda: _____*

47. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 23, 2004 through April 5, 2004, for reference by President to appropriate committee on April 13, 2004.

040305 [Parking Regulations, east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone)]

Ordinance amending San Francisco Traffic Code Section 32.6.30 to restrict parking on the east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone).
(Parking and Traffic Department)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040315 [Designating 2362 Market Street, the Jose Theater / Names Project building, as a Landmark Under Planning Code Article 10]

Ordinance designating 2362 Market Street, the Jose Theater / Names Project Building, as Landmark No. 241 Pursuant to Article 10, Sections 1004 And 1004.4 Of the Planning Code.
(Planning Department)

3/25/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040389 [Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2004.

(Mayor)

4/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 23, 2004 through April 5, 2004, for reference by President to appropriate committee on April 13, 2004.

040346 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Ivy at Buchanan Streets, stopping westbound Ivy Street;

Estero Avenue and Lunado Way, stopping Lunado Way at Estero Avenue, making this intersection an All-Way STOP;

Campbell Avenue at Delta Street, making this uncontrolled intersection an All-Way STOP;

Delta Street at Campbell Avenue, making this uncontrolled intersection an All-Way STOP;

Chestnut and Powell Streets, stopping Powell Street, making this intersection an All-Way STOP;

Faxon Avenue and Kenwood Way, stopping Faxon Avenue, making this intersection an All-Way STOP;

10th Avenue at Ortega Street, stopping Ortega Street, making this intersection an All-Way STOP; and Isola Way and Rockdale Drive, stopping Isola Way traffic at Rockdale Drive, making this uncontrolled T-intersection a one-way STOP.

(Parking and Traffic Department)

(4/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040347 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly.

NO PARKING ANYTIME - ESTABLISH

Waterville Street, east side, across from the north property line of 6 Waterville Street, to the northern terminus of the roadway.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**TAXI ZONE - ESTABLISH**

Polk Street, west side, between McAllister and Redwood Streets.

TAXI STAND - RESCIND

Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 9 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Oak Street, both sides, between Gough and Octavia Streets (200 block)

179 Oak Street (adds specific address only, no permit parking signs will be installed on the 100 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Baker Street, east side, between Turk Street and Golden Gate Avenue (legislating existing conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Noe Street, east side, from Elizabeth Street to 11 feet southerly (accommodates two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "U", 2-HOUR TIME LIMIT, 8 AM TO 10 PM, MONDAY THROUGH SUNDAY - ESTABLISH

Stillman Street, north side, from 3rd Street to 135 west of 3rd Street

101 and 147 Stillman Street, south side, between 3rd and 4th Streets (adds specific addresses only); and

470 - 3rd Street, west side, between Bryant and Stillman Streets (adds specific addresses only).

PARKING METER NO. 3 (1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY)

Stillman Street, north side, between 135 feet and 410 feet west of 3rd Street.

(Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040348 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Eastbound Plymouth Avenue onto northbound Plymouth Avenue.

RIGHT LANE MUST TURN RIGHT - RESCIND

Polk Street, west side, between McAllister and Redwood Streets.

(Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040351 [Accept - Expend Grant]

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$120,000 from the Zellerbach Family Foundation for a social worker position dedicated to working with the children of incarcerated parents (CIP).

(Public Defender)

4/1/2004, RECEIVED AND ASSIGNED to City Services Committee.

040352 [Lease of Real Property - 1060 Howard Street]

Resolution authorizing the lease of 4,592 sq. ft. of clinic space in the building located at 1060 Howard Street, San Francisco for the Department of Public Health.

(Real Estate Department)

4/1/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040353 [Settlement of Claim - Irene Huang]

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery.

(City Attorney)

4/5/2004, RECEIVED AND ASSIGNED to Rules Committee.

040475 [Petitions and Communications, Part 1]

Petitions and Communications received from March 23, 2004 through April 5, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 13, 2004. Part 1.

From Budget Analyst, submitting a detailed assessment of the required level of the Sheriff's Department security staffing and the related costs needed for elections. (1)

From U.S. Department of the Interior, submitting information on the scope and costs of the National Park Service programs and activities addressing waterfront security in the City and County of San Francisco. (Reference No. 20040203-010) Copy: Supervisor Alioto-Pier (2)

From Immigrant Rights Commission, submitting resolution opposing budget cuts to the immigrant community. (3)

From Office of the City Administrator, regarding ordinance that identifies and establishes Board policy regarding surplus, unutilized and underutilized City real property for housing for the homeless. (4)

From various signators, submitting Form 700 Statement of Economic Interests: Rose Chung, Amy Laitinen, Angela Calvillo, Frank Darby (5)

From Department of Building Inspection, submitting administrative bulletin AB-059, regarding mitigation of asbestos hazards during alteration or demolition. (6)

From Sue Hestor, submitting notice that the Redevelopment Agency has jurisdiction over two of the three lots in the 8 Washington Street project. File 040310, Copy: Each Supervisor (7)

From Coblenz, Patch, Duffy & Bass LLP, responding to letter sent by Sue Hestor on behalf of her clients raising an allegation that two of the three lots in the 8 Washington Street Project are under the jurisdiction of the Redevelopment Agency. File 040310, Copy: Each Supervisor (8)

From Superior Court, regarding outreach to the southeast sector of San Francisco. (Reference No. 20040210-014) Copy: Supervisor Duffy (9)

From Vikasni Prasad and Syed Ali, submitting request for transfer of a type 21 off-sale general liquor license from 1500 Taylor Street to 1287 Howard Street. (10)

From concerned citizens, submitting support for establishing an independent Library Citizens Advisory Committee. File 020585, Copy: Each Supervisor (11)

From Planning Department, submitting opposition to proposed ordinance regulating Formula Retail Use. File 031501, Copy: Each Supervisor (12)

From concerned citizens, submitting opposition to removing stop signs and adding traffic circles on Page Street. (13)

From Office of the Controller, submitting report on the financial audit of the San Francisco Transportation Authority for the fiscal year ended June 30, 2003. Copy: Each Supervisor (14)

From Health Commission, submitting resolution approving the submission of the Department of Public Health's Base Budget for fiscal year 2004-05, and urging the Mayor and the Board of Supervisors to develop strategies for avoiding serious cuts to the county's health safety net services. Copy: Each Supervisor (15)

From California Society of Certified Public Accountants, submitting resolution that declares April 2004 as Financial Literacy Month in California. (16)

From Immigrant Rights Commission, submitting copy of letter sent to the Emergency Communications Department regarding the "Equal Access to City Services for Limited English Speakers" ordinance. Copy: Each Supervisor (17)

From Employees' Retirement System, submitting copy of letter requesting Supervisor Sandoval introduce legislation to amend the San Francisco Campaign and Governmental Conduct Code as it relates to conflict of interest disclosure requirements for the positions in the San Francisco Retirement System. (18)

From Sue Hestor, transmitting signatures from property owners within the "300 foot radius" who subscribed to the Notice of Appeal for the 8 Washington Street Conditional Use Appeal project. (19)

From Redevelopment Agency, concerning "how a Controller's Community Audit can identify community needs, assess community benefits programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco." (Reference No. 20040210-021) Copy: Supervisor Duffy (20)

From Jack Dodson, submitting support for the Mayor's veto regarding legislation that prohibits the demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation. File 031739, Copy: Each Supervisor (21)

From concerned citizens, submitting opposition to the Planning Commission's decision approving a Mitigated Negative Declaration and Conditional Use for property located at 8 Washington Street. File 040310 (22)

From the Planning Department, submitting an update to the 2003 Housing Element of the San Francisco General Plan. (23)

From Planning Department, regarding proposed ordinance that allows a City-owned landmark in a public zoning district that is adjacent to properties zoned downtown commercial to sell transferable development rights to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property. File 031930, Copy: Each Supervisor (24)

From Planning Department, regarding proposed ordinance to allow a tourist hotel of 75 rooms or less as a principal permitted use in the Service/Secondary Office District. File 032030, Copy: Each Supervisor (25)

From concerned citizens, submitting support for proposed resolution to halt the rebuild of the Central Freeway in the North Mission District. File 040114 (26)

From Heller & Manus Architects, submitting packet of drawings that is consistent with the Conditional Use appeal of 8 Washington Street. File 040310, Copy: Each Supervisor (27)

From Mary Scott Wilmer, submitting invitation to join the Terry Bradford Concert "Let's Change the World, Starting Here" concert on Sunday, April 4th at the Grand Hyatt Union Square. (28)

From Department of Elections, submitting the official statement of vote for the March 2004 Consolidated Primary Election in the City and County of San Francisco. (29)

From Planning Department, submitting request for release of reserved funds in the amount of \$1,375,000 for salary/fringe benefits. (30)

From Planning Department, submitting preliminary mitigated negative declaration for 937-939 Jackson Street. File 031973 (31)

From Office of the Public Defender, submitting request for waiver of Administrative Code Sections 12B and 12C for Chevron USA, Inc. (32)

From Department of Administrative Services, submitting summary of findings for the 2004 review of applications to participate in the annual fundraising drive. File 040077, Copy: Finance and Audits Committee (33)

From Coblenz, Patch, Duffy & Bass LLP, submitting copy of letter sent to the Redevelopment Agency regarding the 8 Washington Street project. File 040310, Copy: Each Supervisor (34)

From Worker's Compensation Council, submitting annual report, which details the program's status. Copy: Each Supervisor (35)

From Office of the Controller, submitting review of permit fees and assessment schedules proposed by the Department of Public Works. (36)

From Comcast Communications, Inc., submitting notice of an adjustment in the Federal Communications Commission (FCC) regulatory fee. (37)

From Danny Burkes, regarding his positive experience working with staff of the public library as they advanced their bond project to build the new public library of 1298 Ocean Avenue. (38)

From Marsha Garland, submitting information (gathered from the North Beach merchants) on flooding when it rains hard in the North Beach area. (39)

From Charles Bonny, commenting on proposed MUNI bus route cuts. (40)

From Mailie La Zarr, concerning the women that work in the adult entertainment industry in San Francisco. (41)

From Michael Perricone, submitting request to transfer a beer and wine license from the lower level of Neiman Marcus to the Neiman Marcus Café on the first floor of the Union Square store at 150 Stockton Street. (42)

From Office of the Treasurer, submitting the Cash Differences and Overages Fund for the period ending March 31, 2004. (43)

From Pacific Gas and Electric Company, submitting certification of gross receipts attributable to the Electric and Gas Franchise granted pursuant to the Franchise Act of 1937. (44)

From Department of Public Health, regarding willingness to participate in a gun buy back program. (Reference No. 20040203-020) Copy: Supervisor Daly (45)

040476 [Petitions and Communications, Part 2.]

Petitions and Communications received from March 23, 2004 through April 5, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 13, 2004. Part 2.

From Planning Department, submitting additional information to the Preliminary Mitigated Negative Declaration for 937-939 Jackson Street. Copy: Each Supervisor (46)

From Mayor's Office of Housing, regarding the Controller's Community Audit of the Southeast area of San Francisco. (47)

From Department of Human Resources, regarding the Ordinance to extend provisional appointments calendared for review by the Finance and Audits Committee. Copy: Finance and Audits Committee (48)

From Sue Hestor, regarding public hearing on appeal of project at 8 Washington Street. (49)

From Department of Human Resources, submitting quarterly report on status of the IFPTE Local 21 Special Assistant Audit and the MEA Management Classification and Compensation Plan quarterly report. (50)

From Pacific Gas and Electric Company, submitting customer accounts that are more than 90 days delinquent with payment. (51)

From concerned citizens, regarding increased crime in the Marina District of San Francisco. Copy: Supervisor Alioto-Pier (52)

From S.F. Odd Fellows Hall Association, Inc., submitting concern for the condition of the area around Seventh and Stevenson Streets. Copy: Supervisor Daly (53)

From James Chaffee, submitting his opinion on the right to public comment on particular agenda items, and his support for the Library Citizens Advisory Committee. 2 letters, Copy: Each Supervisor (54)

From various signators, submitting Form 700 Statement of Economic Interests: Kathleen Gulbengay, Pedro Rodriguez, Hope Schmeltzer, Arthur Louie, Cybele Chang, Rachel Redondiez, Dawn Duran, Rob Black, Bill Barnes, Brad Benson, Emily Drennan, Diane Fellman. (55)

From First Source Hiring Program, requesting list of contracts, grants or loans above \$200,000 the Board of Supervisors has awarded this year. (56)

From Ethics Commission, submitting quarterly summary report of campaign consultant activity for the first quarter of 2004. Copy: Each Supervisor (57)

From the Airport, submitting report prepared by the Department of Transportation Office of Inspector General regarding a review of the diversion of SF International Airport revenue. (58)

From Small Business Network, urging the Board to act with restraint by not imposing any additional revenue generators until serious and substantial changes have been made to control labor and payroll expenses. Copy: Each Supervisor (59)

From concerned citizens, submitting support for proposed legislation regarding "Formula Retail Uses". File 031501, Copy: Each Supervisor (60)

From State Senate Rules Committee, submitting appointment of Terrence Tamminen as Secretary of

the California Environmental Protection Agency. (61)

From Office of the City Attorney, submitting report of hours of service provided from February 1-29, 2004 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors. (62)

From Office of the City Attorney, submitting report of hours of service provided from February 1-29, 2004 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors – Confidential Matters. (63)

From Na Wong, submitting opposition to the street closure going from the front of the Steinhart Aquarium to Kennedy Drive to get to 10th Avenue/Fulton Street. Copy: Supervisor McGoldrick, Department of Parking and Traffic (64)

From K. Ramazzotti, submitting suggestions to procure additional income to pay for renovations and improvements to the Presidio. Copy: Each Supervisor (65)

From Mark Rennie, submitting requests for transfer a type 42 beer and wine license from 700 Geary Street to a type 48 on-sale general public premises license to Giday Beshue and Nebiat Tesfazgi dba Club Waziema at 543 Divisadero Street. (66)

From Budget Analyst, submitting Budget Analyst Activity Status Report for the Quarter ending March 31, 2004. (67)

From Police Department, submitting the 2004 compliance plan as required by Administrative Code Section 89.9 Compliance Plans for the Equal Access Ordinance. (68)

From Planning Department, regarding appeal of Categorical Exemption for 450 Frederick Street proposed demolition of a single family residence and construction of a three-unit residence. File 040311, Copy: Each Supervisor (69)

From Office of the Controller, submitting annual disclosure report for the San Francisco Finance Corporation, Parking Authority and the Redevelopment Agency (Lease Revenue Bonds). (70)

From appellants, submitting materials entitled "A House Worth Saving" containing photographs and information about 450 Frederick Street. File 040311, Copy: Each Supervisor (71)

From concerned citizens, submitting support for ordinance that prohibits demolition of residential buildings with 20 or more units unless the residential building proposed for demolition requires substantial rehabilitation. File 031739 (72)

From Eula Walters, submitting opposition to proposed legislation to demolish the Vaillancourt Fountain. File 040345, Copy: Each Supervisor (73)

From Kathleen Lilienthal, urging the Mayor and Board of Supervisors to keep all fire stations in San Francisco open. (74)

From Jeremy Nelson, submitting opposition to proposal to expand the tow-away zones on various streets throughout the City. File 040165 (75)

From concerned citizens, submitting opposition to the current plan to build a freeway ramp through the Hayes Valley Neighborhood. File 040114 (76)

From Brian & Doris Cowell, urging the Mayor and Board of Supervisors to provide funding to install larger, well positioned signal lights at the intersection of 40th Avenue and Fulton Street. Copy: Supervisor McGoldrick (77)

From Jason Martin, submitting opposition to proposal to cut the 5 Fulton Muni bus line. Copy: Each Supervisor (78)

Number not used. (79)

From Sandra Gordon, urging the Board of Supervisors to work with the Golden Gate National Recreation Area to provide more off-leash dog areas in San Francisco. (80)

From David Ryder, submitting a web site link that details sound files and photographs of the neighborhood disturbances for the past 15 months at Mission Rock Bar at 817 Terry Francois Boulevard. (81)

From Office of the City Attorney, regarding the Board of Supervisors authority to reject mayoral appointments to the Small Business Commission. (82)

From Office of the City Attorney, submitting summary of legal requirements for mayoral appointments of members of boards and commissions and removal of department heads under those boards and commissions. (83)

From Department of Elections, submitting the official statement of vote for the March 2, 2004 Consolidated Primary Election in the City and County of San Francisco. (84)

From concerned citizens, submitting support for the 8 Washington Street project. File 040310 (85)

From the Redevelopment Agency, submitting its financial and performance reports for the fiscal year ended June 30, 2003. (86)

From the Redevelopment Agency, submitting its financial and performance reports for the quarter ended December 31, 2003. (87)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 20, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

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DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve March 23, 2004 and March 30, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

1. 040099 [Dept. of Administrative Services to provide services to public entities]
Supervisors Dufty, Peskin

Ordinance authorizing the Department of Administrative Services to enter into written agreements with other public entities to provide the public entities with publishing, copying, printing and/or mail services, and ratifying and approving any actions heretofore taken by the Department of Administrative Services to provide such services to public entities.

4/13/2004, PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

2. 040147 **[General Plan Amendment in connection with Downtown Housing Demonstration Special Use District]**
 Supervisor Peskin
Ordinance amending the San Francisco General Plan to change the height and bulk classification in connection with approvals for the proposed Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.
- 4/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 040184 **[Zoning Map Amendment in connection with Downtown Housing Demonstration Special Use District]**
 Supervisor Peskin
Ordinance amending Zoning Map Section 1H and 1SU of the City and County of San Francisco for the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
- 4/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 031791 **[Special Use District to eliminate certain zoning requirements for residential uses in the Downtown consistent with a proposed ordinance to facilitate housing in the Downtown]**
 Supervisors Peskin, Daly
Ordinance amending the San Francisco Planning Code by adding Section 249.26 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) and making findings. The proposed Special Use District would eliminate floor area restrictions and maximum dwelling unit density limits and would allow exceptions to open space requirements and dwelling unit exposure requirements for new residential uses be granted through the process outlined in Planning Code Section 309. The proposed Special Use District would also increase the maximum height and bulk allowed in the district from 250-S to 285-S, and would require that residential projects be subject to the 12 percent (on-site) and 17 percent (off-site) Inclusionary Affordable Housing Program Requirements found in Section 315.3(a)(2).
- 4/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 040366 [Conditionally Designate 690 Market, the Chronicle Building, as a Landmark Under Planning Code Article 10]
Supervisors Peskin, Hall
Ordinance conditionally designating 690 Market, the Chronicle Building, as Landmark No. 243 pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.
- 4/13/2004, PASSED ON FIRST READING. Supervisor Hall requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

6. 040261 [Settlement of Lawsuit - Laura Bianchi]
Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al.
(City Attorney)
- 4/13/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

7. 021505 [Ordinance adding Section 21.25-3 to the Administrative Code]

Supervisors Ammiano, Daly

Ordinance adding Section 21.25-3 to the San Francisco Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a contract, lease, franchise, permit or other contractual arrangement is terminated.

4/13/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/13/2004, CONTINUED. Continued to April 20, 2004

Question: Shall this Ordinance be FINALLY PASSED?

8. 040100 [Process for Sale of Real Property]

Supervisors Peskin, Hall

Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.

4/13/2004, CONTINUED. Continued to April 20, 2004

Supervisor Hall requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Daly, Peskin, Ammiano

9. 040272 [Public Employment]

Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the deletion of 187.4 positions in the following departments: Administrative Services, Adult Probation, Adult and Aging Services, Airport, Assessor, Convention Facilities, Emergency Communications, Environment, Human Resources, Juvenile Probation, Municipal Transportation Agency, Police, Public Health, Recreation and Park, Sheriff and Telecommunication and Information Services. (Municipal Transportation Agency)

4/13/2004, AMENDED.

4/13/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

10. 040318 [Amending Domestic Partnership requirements]

Supervisors Ammiano, Dufty

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 040389 [Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2004.

(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 031640 [Airport - Amendment to Concession Agreement and Lease Agreement for Rental Car Operations]

Resolution approving (a) Amendment No. 1 to the Concession Agreements and Lease Agreements for Rental Car Operations between Alamo Rent-A-Car, LLC, Avis Rent-A-Car System, Inc., Budget Rent-A-Car Systems, Inc., Dollar Rent-A-Car System, Inc., Enterprise Rent-A-Car Company of San Francisco, The Hertz Corporation, and Thrifty Rent-A-Car System, Inc., and the City and County of San Francisco, acting by and through its Airport Commission; and (b) Amendment No. 1 to the Lease Agreement for Rental Car Operations between National Car Rental Systems, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

(Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

13. 040034 [Modification #6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc. at Terminal 1 of S.F. International Airport.]
Resolution approving and authorizing the execution of Modification # 6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.
(Airport Commission)
- Question: Shall this Resolution be ADOPTED?
14. 040035 [Modification #7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc. at Terminal 1 of S.F. International Airport.]
Resolution approving and authorizing the execution of Modification # 7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.
(Airport Commission)
- Question: Shall this Resolution be ADOPTED?
15. 040077 [2004 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2004 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
- Question: Shall this Resolution be ADOPTED?
16. 040186 [Reimbursement Resolution]
Supervisor McGoldrick
Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith
- Question: Shall this Resolution be ADOPTED?
17. 040319 [MTA Workers' Compensation Administration Contract Award]
Mayor
Resolution authorizing retroactive to March 27, 2004, the Director of Transportation to award a contract to Sedgwick Claims Management Services for Workers' Compensation Third Party Claims Administration, not to exceed \$3.183 million in the first year and adjusted annually by formula for four subsequent years, with the option of three one-year extensions to be exercised at the sole discretion of the MTA.
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Peskin, Maxwell

18. 031930 [Planning Code Amendments - The Old Mint]

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P (Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Peskin, Maxwell

19. 040375 [Parking Regulations at Various Locations on California Street]

Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO PARKING (6AM - 6 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) - ESTABLISH

California Street, north side, from 182 feet to 222 feet west of 32nd Avenue (40 foot zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND

California Street, north side, from 100 feet to 182 feet west of 32nd Avenue.

ANGLE (45-DEGREE ANGLE) PARKING - ESTABLISH

California Street, north side, from 100 feet to 182 feet west of 32nd Avenue (6 spaces).

COMPACT ONLY PARKING - ESTABLISH

California Street, north side, from 75 feet to 182 feet west of 32nd Avenue (7 spaces).

(3/19/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Budget Committee

The following item will be considered by the Budget Committee at a Regular Meeting on Thursday, April 15, 2004. The Chair intends to request the Committee to send the following item to the Board as a committee report.

20. 040411 [Waiving, for 2004, the May 1 deadline for enterprise department budget submittal]
 Supervisor Sandoval
 Ordinance amending Section 3.3 of the San Francisco Administrative Code to waive, for 2004, the May 1 deadline for the Mayor to submit to the Board of Supervisors the proposed budgets for the enterprise departments of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 14, 2004. The Chair intends to request the Committee to send the following items to the Board as a committee report.

21. 040223 [Appointment to Police Commission - Douglas Chan]
 Mayor
 Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.
 Transmittal Date: 3/2/04.
 4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be APPROVED?

22. 040224 [Appointment to Police Commission - Joseph Veronese]
 Mayor
 Motion confirming the Mayor's nomination of, and appointing, Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.
 Transmittal Date: 3/2/04.
 4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be APPROVED?

23. 040225 [Appointment to Police Commission - Dr. Joe Marshall]**Mayor**

Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be APPROVED?

24. 031919 [Appointment - Police Commission]

Motion confirming the Rules Committee's nominations of, and appointing, Theresa Sparks, Peter Keane and Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with terms ending to be determined by lot.

(Rules Committee)

4/14/04 Supervisor Ammiano dissented in Committee on the recommendation to appoint Peter Keane and Gayle Orr-Smith.

Theresa Sparks, seat 1, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Peter Keane, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Gayle Orr-Smith, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Question: Shall this Motion be APPROVED?

25. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

26. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 27 through 42

27. 040444 [Older Americans Month]
Supervisors Hall, Dufty
Resolution recognizing the month of May 2004 as Older Americans Month in San Francisco and encouraging all San Franciscans to promote and participate in activities and services that contribute to the health, welfare, and independence of older citizens.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 040452 [Week of the Young Child]
Supervisors Ma, Dufty, Alioto-Pier
Resolution recognizing the importance of children's earliest years and the need to support early child-care programs and services, and declaring April 17, 2004 through April 24, 2004 as "Week of the Young Child" in the City and County of San Francisco.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. 040453 [Safety Seat Checkup Week]
Supervisors Ma, Dufty, Alioto-Pier
Resolution declaring April 18, 2004 through April 24, 2004 as "Safety Seat Checkup Week" in the City and County of San Francisco.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. 040456 [Commending Hannah Paarlberg]
Supervisor Sandoval
Resolution commending Hannah Paarlberg of Balboa High School on her accomplishments in the sport of wrestling.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

31. **040457** **[Commending House Minority Leader Nancy Pelosi]**
 Supervisors Sandoval, Dufty
Resolution commending House Minority Leader Nancy Pelosi for receiving the 2004 "Distinguished Community Health Champion" award from the National Association of Community Health Centers.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
32. **040460** **[Urging the Legislature to amend Public Utilities Code to allow local regulation of charter party carriers]**
 Supervisors Daly, Maxwell
Resolution urging the California State Legislature to support an amendment to the California Public Utilities Code that would allow a city and/or county to impose a business license fee, and adopt reasonable rules and regulations pertaining to charter party carriers operating within city and/or county jurisdictions.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
33. **040461** **[Commending Michael C. Healy]**
 Supervisor Daly
Resolution commending Michael C. Healy on his service to the Bay Area Rapid Transit District (BART) and to public transportation.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
34. **040471** **[Supporting AB 2863]**
 Supervisors Maxwell, Dufty
Resolution supporting AB 2863 and urging the California legislature to pass AB 2863 allowing for the improvement of indoor air quality in our schools.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. **040472** **[Supporting AB 2367, AB 2132]**
 Supervisors Maxwell, Dufty
Resolution supporting AB 2367 (Chan) and AB 2132 (Reyes/Chan) and urging the California legislature to pass the two legislation allowing children in schools with Asthma easier access to their medication.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

36. 040473 [Annual Bayview Juneteenth Festival in 2002]
Supervisors Maxwell, Dufty
Resolution urging DPT, DPW, Police, and Fire Department to waive fees incurred by Black Diamond Dynasty for the installation of the 1st Annual Bayview Juneteenth Festival in 2002.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 040474 [Proposed Changes to Section 8 Housing Policy]
Supervisor Maxwell
Resolution urging United States Senators Dianne Feinstein and Barbara Boxer and United States Congresswoman Nancy Pelosi to oppose changes to Federal Section 8 Housing Policy.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 040478 [Strictly Bluegrass]
Supervisors Peskin, Ammiano
Resolution urging that Warren Hellman bring Strictly Bluegrass back to Golden Gate Park.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 040479 [Bhopal Remembrance Day]
Supervisor Peskin
Resolution Declaring December 3, 2004 as Bhopal Remembrance Day.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 040480 [Less Costly Pharmaceuticals]
Supervisors Peskin, Sandoval
Resolution authorizing the Department of Public Health to participate in the State Department of General Services pharmaceutical purchasing program to explore the cost benefits of participation, and further approving its participation in State Department of General Services pharmaceutical purchasing contracts that provide favorable cost benefits for the Department.
- 4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

41. 040481 [Public Health Comprehensive Child Crisis Services]**Supervisors Maxwell, Dufty**

Resolution authorizing the San Francisco Public Health, Community Behavioral Health, Comprehensive Child Crisis Services (SFDPH, CBH, CCCS) (Provider) to enter retroactively into an agreement which includes a mutual indemnification clause and a binding arbitration clause, with Managed Health Network, Inc. (MHN) (Primary Contractor) to provide comprehensive child crisis services at a capitated rate to MHN enrollees for a total estimated revenues of \$100,000 for the 16 month period of March 1, 2004 through June 30, 2005.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 040482 [Accept-Expend State Grant]**Supervisors Maxwell, Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,218,010 from the State Board of Corrections, from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA), for programs and approaches that have been demonstrated to be effective in reducing delinquency.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 6, 2004 through April 12, 2004, for reference by President to appropriate committee on April 20, 2004.

040393 [Settlement of Lawsuit - 555 California Street Partners, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al.
(City Attorney)

4/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 6, 2004 through April 12, 2004, for reference by President to appropriate committee on April 20, 2004.

040391 [Modification of Easement Deed]

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California.
(Real Estate Department)

4/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040490 [Petitions and Communications]

Petitions and Communications received from April 6, 2004 through April 12, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 20, 2004.

From Department of Elections, concerning implementation of ranked-choice voting for the November 2004 election. (1)

From Office of the Controller, submitting audit of the revolving fund maintained by the Office of the Controller. (2)

From Department of Human Services, submitting request for waiver of Administrative Code Chapters 12B and 12C for IBM Global Services. (3)

From Department of Public Health, submitting report entitled "San Francisco Farm-to-School" that summarizes the partnership between the Department of Public Health and the Unified School District to find ways to incorporate fresher, locally grown fruits and vegetables into school meal programs. Copy: Each Supervisor (4)

From Office of the Controller, submitting audit report concerning whether Kid Stock, Inc. complied with the City requirements not to use any City funds for political activities. (5)

From Office of the Treasurer, submitting report showing investment activity (for fiscal year to date) of the portfolios under management. (6)

From Peter Impala, submitting request for transfer of an existing Type 21 liquor license from Trader Joe's at 555 Ninth Street to the redeveloped area of Trader Joe's Company at Bay and Mason. (7)

From Mary Irene Zemanek, filing appeal of Planning Commission decision on property located at 2599 Lombard Street. (8)

From Office of the Legislative Analyst, submitting report identifying best practices governing police pursuits and recommendations for improving the police pursuit policies of the San Francisco Police Department. Copy: Supervisor Maxwell (9)

From Office of the City Attorney, submitting memorandum regarding authority of Board of Supervisors or a Committee of the Board to Overrule the Mayor's Disapproval of a Requisition for a Position under Certain Elected Officials. Copy: Each Supervisor (10)

From U.S. House of Representatives, requesting support for legislation that will help combat the dramatic rise in California's price of retail gasoline. Copy: Each Supervisor (11)

From Mayor's Memorial Day Citizen's Committee, announcing the Memorial Day Ceremony at the Presidio's National Cemetery on May 31, 2004. Copy: Each Supervisor (12)

From Reuben & Junius, LLP, regarding appeal of proposed project at 450 Frederick Street. Copy: Each Supervisor (13)

From Office of the Mayor, submitting report regarding the debt policy of the City and County of San Francisco, that summarizes the Mayor's Office existing debt policies and formally establishes them for all future debt. (14)

From Department of Children, Youth and Their Families, regarding how a Controller's audit can identify community needs, access community benefit programs, and evaluate city services and city-funded programs to improve the quality of life in the southeast neighborhoods of San Francisco.

(Reference No. 20040210-009) Copy: Supervisor Dufty (15)

From Abdalla Megahed, requesting an extension of time at the Episcopal Community Services Center. (16)

From Municipal Transportation Agency, responding to objection to award the contract for workers' compensation third party claims administration services to Sedgwick CMS. (17)

From Juvenile Probation Department, regarding how a Controller's audit can identify community needs, access community benefit programs, and evaluate city services and city-funded programs to improve the quality of life in the southeast neighborhoods of San Francisco. (Reference No. 20040210-013) Copy: Supervisor Dufty (18)

From Richard Kim, submitting request to transfer an off-sale liquor license to Woori Food Market at 1528 Fillmore Street. (19)

From Alliance for a Clean Waterfront, submitting support for the installation of bi-directional bicycle lanes along Jefferson Street through the Fisherman's Wharf area, specifically Alternative D that has been identified through the planning process for this area. Copy: Each Supervisor (20)

From State Public Utilities commission, submitting notice that PG&E has filed an application with the CPUC requesting changes to PG&E's gas rates for the calendar year 2005, and storage rates from April 1, 2005 to March 31, 2006. (21)

From Fire Department, submitting notice of annual fire and life safety holding cell inspection at Bayview Police Station at 201 Williams Avenue. (22)

From Fire Department, submitting notice of annual fire and life safety holding cell inspection at Richmond Police Station at 461 6th Avenue. (23)

From Office of the Controller, regarding amendment to ordinance fixing compensation for Unrepresented Employees for the period July 1, 2004 through June 30, 2005. File 040389 (24)

From Employees' Retirement System, submitting letter that attempts to define investments in companies doing business in countries, which foster or support terrorism. (25)

From James Chaffee, submitting letter entitled "Private Money Skews Public Goals, Again" dated April 9, 2004. Copy: Each Supervisor (26)

From Office of the Controller, submitting report concerning the audit of the department head transition and cash revolving fund at the Office of the District Attorney. (27)

From State Water Resources Control Board, submitting notice of public hearing to seek input on potential revisions to the California Ocean Plan on May 24, 2004 in Sacramento, California. (28)

From United Way of the Bay Area, regarding the 2004 Combined Charities Employee Campaign. (29)

From US Army Corps of Engineers, submitting notice of permit request to mine up to 50,000 cubic yards of sand and gravel per month from PRC 709 North, East, and South; at Presidio, Alcatraz, and Point Know shoals, in San Francisco Bay, San Francisco and Marin Counties and transport the sand to upland sand yards around San Francisco Bay. (30)

From the Violence Prevention Research Program, submitting report entitled "Handgun Commerce in California 2000" dated March 2004. (31)

MAYOR'S APPOINTMENTS

Arts Commission
Jeannene Przyblyski
Maya Draisin

Fire Commission
Rosemarie Fernandez-Pifer
Clem Clarke

Human Services Commission
Dr. Pablo Stewart

Human Rights Commission
Pat Norman
Carlotta del Portillo

Juvenile Probation Commission
Lidia Stiglich

Municipal Transportation Agency
Anita Grier
Peter Mezey

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

APR 23 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 27, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma

1. 040351 [Accept - Expend Grant]
Supervisor Duffy

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$120,000 from the Zellerbach Family Foundation for a social worker position dedicated to working with the children of incarcerated parents (CIP).
(Public Defender)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

2. 040318 [Amending Domestic Partnership requirements]

Supervisors Ammiano, Duffy, Daly

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

(Fiscal impact.)

4/20/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

3. 040389 [Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2004.

(Mayor)

4/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Peskin, Maxwell

4. 031930 [Planning Code Amendments - The Old Mint]

Supervisors Peskin, Daly, Hall

Ordinance amending the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P (Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property; adopting findings.

4/20/2004, PASSED ON FIRST READING. Supervisors Daly and Hall requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, McGoldrick

5. 040411 [Waiving, for 2004, the May 1 deadline for enterprise department budget submittal]
Supervisor Sandoval
Ordinance amending Section 3.3 of the San Francisco Administrative Code to waive, for 2004, the May 1 deadline for the Mayor to submit to the Board of Supervisors the proposed budgets for the enterprise departments of the City and County of San Francisco.

4/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

6. 021505 [Ordinance adding Section 21.25-3 to the Administrative Code]
Supervisors Ammiano, Daly
Ordinance adding Section 21.25-3 to the San Francisco Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services for shows on property owned by the City and County of San Francisco be paid the prevailing rate of wage.

4/13/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/13/2004, CONTINUED. Continued to April 20, 2004

4/20/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/20/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Ammiano

7. 040100 [Process for Sale of Real Property]
Supervisors Peskin, Hall
Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.

4/13/2004, CONTINUED. Continued to April 20, 2004

Supervisor Hall requested to be added as a co-sponsor.

4/20/2004, CONTINUED. Continued to April 27, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, McGoldrick

8. 040102 [Amending fees County Clerk may charge for Declarations of Domestic Partnership and Amendments to such Declarations; adding fee for souvenir marriage certificates]
Supervisor Peskin
Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a \$40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index; and amending Administrative Code Section 8.33.1 to provide that the County Clerk may charge \$5 for ceremonial souvenir marriage certificates.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Hall

9. 040250 [High Risk Sex Offender Map]
Supervisors Hall, Ma
Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of high risk sex offenders, insuring that only high risk offenders and the pictures of those high risk offenders are on the San Francisco Police Department website.

3/9/2004, REFERRED to City Services Committee. Supervisor Daly requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

10. 040194 [Employee Catastrophic Illness Program]
Supervisor Ammiano
Ordinance amending Section 16.9-29A(d) of the San Francisco Administrative Code to authorize employee reimbursement of the Catastrophic Illness Program upon qualification for or receipt of disability benefits and amending Section 16.9-29A(i) of the San Francisco Administrative Code to authorize employee transfer of unused hours to pool if participation in Catastrophic Illness Program expires or is terminated.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

11. 040101 [Interest on Residential Rental Security Deposits: interest calculated according to 6-Month Certificate of Deposit rate published on Federal Reserve Statistical Release internet site]
Supervisor Peskin
Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," at Section 49.2 "Payment of Interest on Security Deposits," to provide that the required interest on security deposits be calculated according to the 6-Month Certificate of Deposit rate as posted by the Federal Reserve on the Federal Reserve Statistical Release internet site (instead of on the basis of the Federal Reserve's singular Federal Discount Rate, which has been discontinued).
- Question: Shall this Ordinance be PASSED ON FIRST READING?
12. 040227 [Construct retaining walls in public right-of-way to provide for parking garage driveway and level entry to a new resident at 719 Peru Avenue]
Resolution granting, through May 10, 2005, revocable permission to Alan Tran to occupy a portion of the street area along Peru Avenue for the purpose of constructing and maintaining retaining walls in order to provide for a parking garage driveway and a level entry to a new building at 719 Peru Avenue (Assessor Block 5943, Lot 024); conditioned upon the payment of a \$1,000 fee from Alan Tran to the City and County of San Francisco.
(Public Works Department)
- Question: Shall this Resolution be ADOPTED?
13. 040228 [Construct retaining walls in public right-of-way to provide for a parking garage driveway and level entry to a new resident at 715 Peru Avenue]
Resolution granting, through May 10, 2005, revocable permission to Robert C. M. & Lori O. W. Chiang to occupy a portion of the street to construct retaining walls in public right-of-way in order to provide for a parking garage driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025); conditioned upon the payment of a \$1,000 fee from Robert and Lori Chiang to the City and County of San Francisco.
(Real Estate Department)
- Question: Shall this Resolution be ADOPTED?
14. 040238 [MUNI Biodiesel Pilot Program]
Supervisor Gonzalez
Resolution urging MUNI to start a pilot program utilizing biodiesel within the next 8 months, as well as research and adopt the use of biodiesel, a cleaner burning alternative fuel, that will significantly reduce emissions.
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

15. 040274 **[Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]**
Supervisors Daly, Maxwell
Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.

Question: Shall this Ordinance be PASSED ON FIRST READING?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 21, 2004. The Chair intends to request the Committee to send the following items to the Board as a committee report.

16. 040222 **[Appointment to Police Commission - Louise Renne]**
Mayor
Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.
Transmittal Date: 3/2/04.

Question: Shall this Motion be APPROVED?

From the City Services Committee

The following items will be considered by the City Services Committee at a Regular Meeting on Thursday, April 22, 2004. The Chair intends to request the Committee to send the following items to the Board as a committee report.

17. 040092 **[Grading of food preparation and service establishments by Department of Public Health and posting of letter grade and inspection score cards at food preparation and service establishments]**
Supervisors Daly, Ammiano
Ordinance amending the San Francisco Health Code by adding a new section 456 et seq. to establish letter grading system by Department of Public Health for inspection of food preparation and service establishments, requiring posting of letter grade and inspection score cards by food preparation and service establishments, and providing penalties for lack of compliance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 040125 [Liquor License, 2113 Chestnut Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 3237 Pierce Street to 2113 Chestnut Street (District 2), to Greg O'Flynn for California Wine Merchant, and the issuance of a Type 42 on-sale beer and wine public premises license to the same applicant, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

19. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

20. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 21 through 33**21. 040473 [Annual Bayview Juneteenth Festival in 2002]
Supervisors Maxwell, Dufty**

Resolution urging DPT, DPW, Police, and Fire Department to waive fees incurred by Black Diamond Dynasty for the installation of the 1st Annual Bayview Juneteenth Festival in 2002.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/20/2004, CONTINUED. Continued to April 27, 2004

Question: Shall this Resolution be ADOPTED?

22. 040495 [AB 2702 Secondary Unit]
Supervisor Hall
Resolution urging the California State Legislature to not approve Assembly Bill 2702, allowing secondary units without local government input.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
23. 040498 [Accept-Expend Federal Grant]
Supervisor Alioto-Pier
Resolution authorizing the Mayor's Office of Criminal Justice to accept and expend a federal grant in the amount of \$10,349,000 from the U.S. Department of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2003 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. 040499 [Accept-Expend Federal Pass Through Grant]
Supervisor Alioto-Pier
Resolution authorizing the Mayor's Office of Criminal Justice to accept and expend a Federal pass through grant in the amount of \$18,587,312 from the State of California Office of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2003 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism. Further, authorizing the Director of the Mayor's Office of Criminal Justice or the Deputy Director of the Mayor's Office of Criminal Justice to execute for and on behalf of the named core city, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining Federal financial assistance under Catalog of Federal Domestic Assistance number 16.011.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 040503 [Authorizing the resale of Redevelopment Agency-assisted ownership units]
Supervisor Maxwell
Resolution authorizing the resale of single-family homes acquired by the Redevelopment Agency with tax increment funds without further approval of the Board of Supervisors pursuant to the small housing project exception under Health and Safety Code Section 33433(c)(1).
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

26. 040504 [**Prohibition on Cruise Ship Pollution in San Francisco Bay**]
 Supervisor Alioto-Pier
 Resolution supporting Assembly Bills 2093 and 2672 to prohibit cruise ship pollution in California.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 040518 [**Honoring Ellen Haller, M.D.**]
 Supervisor Ammiano
 Resolution Honoring Ellen Haller, M.D. at the San Francisco LGBTQ Pride Celebration Mental Health Conference June 25, 2004 for her distinguished work in the field of Mental Health.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 040519 [**Single Room Occupancy Hotel Safety and Stabilization Task Force**]
 Supervisor Ammiano
 Resolution supporting the Single Room Occupancy Hotel Safety and Stabilization Task Force recommendations.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. 040520 [**Selection of Independent City Auditors**]
 Supervisor Peskin
 Resolution selecting independent auditors for the Controller's Office and the separately audited departments of the City and authorizing a three-year contract with the selected audit firms.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. 040521 [**Supporting AB 2600**]
 Resolution expressing support for Assembly Bill 2600, introduced by Assemblyman John Laird, creating a Sierra Nevada Conservancy.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. 040522 [**SFSU Gerontology Program**]
 Supervisor Dufty
 Resolution urging San Francisco State University to continue its Gerontology Program.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

32. 040492 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
33. 040516 [Committee of the Whole - Implementation plan for Care Not Cash/Real Housing Real Care]
Supervisor Daly
Motion scheduling a Committee of the Whole on May 11, 2004 at 4:00 PM to hold a hearing on the City's implementation plan for Care Not Cash/Real Housing Real Care.
- 4/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED RESOLUTIONS

Proposed resolutions received from April 13, 2004 through April 20, 2004, for reference by President to appropriate committee on April 27, 2004.

040430 [Contracting out Parking Citation Processing/Collection System Services]

Resolution concurring with Controller's certification that citation processing and collection services can be practically performed by a private contractor at a lower cost than by City and County employees.

(Parking and Traffic Department)

4/16/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040431 [Contracting out Parking Meter Management System Services]

Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees.

(Parking and Traffic Department)

4/16/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040528 [Petitions & Communications]

Petitions and Communications received from April 13, 2004 through April 19, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 27, 2004.

From Peter Warfield, regarding American Civil Liberties Union and Electronic Frontier Foundation opposing to Radio Frequency Identification at San Francisco Public Library. (1)

From Recreation and Park Department, submitting a Bond Accountability Report for the California Academy of Sciences. (2)

From concerned citizens, commenting on the Large-scale Retail Use legislation. 2 letters File No. 031463, 031239 Copy: Each Supervisor (3)

From Office of the Assessor-Recorder, submitting letter that was sent to Ms. Marilyn Putnam regarding her claim for transfer tax refunds. (4)

From various organizations, submitting press release regarding Gwen Araujo murder trial. (5)

From Municipal Transportation Agency, responding to Ms. Patricia Vaughney's e-mail concerning bicycle racks in neighborhood commercial districts. (6)

From concerned citizens, concerning the increase of park rangers' harassment of dog walkers at Fort Funston. (7)

From concerned citizens, commenting on Pastor Roger Huang in his recent hunger strike. 3 letters (8)

From concerned citizen, regarding the North American Surface Water Quality Conference & Exposition. (9)

From David Ryder, forwarding e-mails that were sent to the Department of Parking and Traffic regarding enforcement of City Codes. 2 letter (10)

From M & M Group Assets, Inc., requesting for a public convenience and necessity resolution from the Board of Supervisors to allow a Type 48 liquor license be granted for their business. (11)

From various organizations, urging the immediate approval of the Transbay Terminal EIR. 3 letters (12)

From concerned citizens, urging the Board of Supervisors to restore \$2 million to the Department of Aging and Adult Services. (13)

From Patrick Monette-Shaw, regarding the waiver of 2002 Black Diamond Dynasty Junteeth Celebration fees. Copy: Supervisors Maxwell, Dufty (14)

From Abdalla Megahed, submitting a letter written to the Director of the Department of Public Health regarding his complaint against Rhonda Giarretto. (15)

From Office of the Mayor, advising his appointment of Jim Hurley to the Residential Rent Board. (16)

From Bro Jerry Shaw, commenting on the peoples' lack of knowledge. (17)

From Department of Public Health, reporting to the Board of Supervisors of a Federal grant line item budget revision in excess of 15% requiring funding agency approval. (18)

From Planning Department, regarding the designation of 2550 Mission Street, the New Mission Theater as City Landmark No. 245. File No. 040443 (19)

From Planning Department, regarding the conditional approval of an historical property contract for 690 Market Street – The Chronicle Building. File No. 040329 (20)

From Work Design Collaborative, expressing their deep appreciation to the entire City of San Francisco for hosting the World Congress on the Future of Work last month in City Hall. (21)

From Department of Public Works, regarding the Minor Sidewalk Encroachment Permit at 32 Rivoli Street. (22)

From Department of Fish and Game, announcing the release of the Fisheries Restoration Grant Program 2004/2005 Project Solicitation Notice (Solicitation). (23)

From United States Bankruptcy Court, regarding the bankruptcy of Pacific Gas and Electric Company. (24)

From Clerk of the Board of Supervisors, reporting that the Board of Supervisors exceeded its expenditure rate in 001 Salaries by 2.66%. (25)

From Melchor Bustamante, regarding her struggles with the job applying process in the City. (26)

From Janette Barroca, regarding the Tides Foundation in the Presidio. (27)

From Sam Merenda, commenting on the District Attorney's decision in the death case of the San Francisco Police Officer. (28)

From Jack R. Colberg, commenting on the good work Supervisor Daly has been doing. (29)

From Office of the Controller, submitting the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector for the quarter ended December 31, 2003. (30)

From Joseph L. Cappelletti, commenting on the jury selection system. (31)

From concerned citizens, commenting on same sex marriage. 2 letters (32)

From Latino Peace Officers Association and Patrick Tobin, requesting the Board of Supervisors to support the nomination of Morgan R. Gorrone for the Police Commission. 2 letters Each Supervisor (33)

From San Francisco Odd Fellows Hall Association, Inc., requesting the Mayor's assistance in cleaning up the neighborhood at Seventh and Market Streets. (34)

From Noriaki Hirasuna, submitting a report concerning the audit of the franchise fees of PG&E for the period from January 1, 2001 through December 31, 2002. (35)

From Office of the Controller, regarding the waiver of indirect costs for two grants requested by the Department of Public Health. (36)

From Ethics Commission, regarding technical clean-up amendment to regulation 3.216-1 – gifts from subordinates. Copy: Each Supervisor (37)

From Ethics Commission, regarding regulations implementing Campaign and Governmental code Section 3.214: Disclosure of Personal, Professional and Business Relationships. Copy: Each Supervisor (38)

From Neil Seippel, submitting articles regarding noise and drinking water. (39)

From Metropolitan Transportation Commission, submitting 2003 Annual Report for the Metropolitan Transportation Commission and its offshoots, the Bay Area Toll Authority and the Service Authority for Freeways and Expressways. (40)

From Office of the Controller, submitting High Level Financial Report for March 2004. (41)

From Administrative Services Department, submitting additional information to clarify the current options available to the Public Utilities Commission in regard to accommodating their current office space need of approximately 30,000 square feet. File No. 040037 (42)

From Commission of Animal Control and Welfare, regarding the transfer of three surviving elephants housed at the San Francisco Zoo. Copy: Each Supervisor (43)

From Department of Public Works, submitting Quarterly Report of the Department of Public Works Defective Sidewalk Repair Revolving Account. (44)

From concerned citizens, commenting on the changes in the administration of the Randall Museum. 2 letters (45)

From San Francisco Housing Authority, reporting the benefits the agency could provide to residents in the southeast communities. Copy: Supervisor Dufty (Reference No. 20040210-004) (46)

From concerned citizen, commenting on the animal testing at UCSF. (47)

MAYOR'S APPOINTMENTS

Small Business Commission
Richard Ventura
Dr. Raye Richardson
Norman Ishimoto
Florence Alberts

Status of Women Commission
Andrea Evans

Human Rights Commission
Faye Woo Lee (48)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

April 22, 2004

Rule 5-40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Ordinance amending Article 12-C of the SF Business and Tax regulations Code Real Property Transfer Tax Ordinance to conform and clarify exemptions for transfers of real property between spouses and domestic partners	040493	Finance and Audits Committee	Supervisors Dufty, Ammiano	4/20/04	5/20/04
Ordinance amending SF Admin Code to charge fees for providing notary services	040505	Finance and Audits Committee	Supervisor Dufty, Ammiano	4/20/04	5/20/04
Ordinance adding SF Admin Code section 2A.250 making environmental findings and establishing SF Dispute resolution program, administrative fees and Community Funds	040506	Finance and Audits Committee	Supervisor Dufty	4/20/04	5/20/04

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY - 7 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 11, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Duffy, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 13, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendation of the Budget Committee

Present: Supervisors Sandoval, McGoldrick

1. 040102 [Amending fees County Clerk may charge for Declarations of Domestic Partnership and Amendments to such Declarations; adding fee for souvenir marriage certificates]
Supervisor Peskin
Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a \$40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index; and amending Administrative Code Section 8.33.1 to provide that the County Clerk may charge \$5 for ceremonial souvenir marriage certificates.

4/27/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma

2. **040021** **[Liquor License Transfer, 360 Sutter Street]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 76 Geary Street to 360 Sutter Street (District 6), to Paul McGinlay for Hector Russell Scottish Imports dba The Whiskey Shop, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

3. **040194** **[Employee Catastrophic Illness Program]**
Supervisors Ammiano, Daly
Ordinance amending Section 16.9-29A(d) of the San Francisco Administrative Code to authorize employee reimbursement of the Catastrophic Illness Program upon qualification for or receipt of disability benefits and amending Section 16.9-29A(i) of the San Francisco Administrative Code to authorize employee transfer of unused hours to pool if participation in Catastrophic Illness Program expires or is terminated.

4/27/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

4. **040101** **[Interest on Residential Rental Security Deposits: interest calculated according to 6-Month Certificate of Deposit rate published on Federal Reserve Statistical Release internet site]**
Supervisor Peskin
Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," at Section 49.2 "Payment of Interest on Security Deposits," to provide that the required interest on security deposits be calculated according to the 6-Month Certificate of Deposit rate as posted by the Federal Reserve on the Federal Reserve Statistical Release internet site (instead of on the basis of the Federal Reserve's singular Federal Discount Rate, which has been discontinued).

4/27/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 040298 **[Grant of Federal Funds]**
 Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,987,000 of Federal Transit Administration Section 70 funds for the Municipal Railway's NextBus Real Time Vehicle Information project, excluding administrative overhead costs.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

6. 040346 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Ivy at Buchanan Streets, stopping westbound Ivy Street;
Estero Avenue and Lunado Way, stopping Lunado Way at Estero Avenue, making this intersection an All-Way STOP;

Campbell Avenue at Delta Street, making this uncontrolled intersection an All-Way STOP;
Delta Street at Campbell Avenue, making this uncontrolled intersection an All-Way STOP;
Chestnut and Powell Streets, stopping Powell Street, making this intersection an All-Way STOP;
Faxon Avenue and Kenwood Way, stopping Faxon Avenue, making this intersection an All-Way STOP;

10th Avenue at Ortega Street, stopping Ortega Street, making this intersection an All-Way STOP; and
Isola Way and Rockdale Drive, stopping Isola Way traffic at Rockdale Drive, making this uncontrolled T-intersection a one-way STOP.

(Parking and Traffic Department)

(4/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

Question: Shall this Resolution be ADOPTED?

7. 040347 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly.

NO PARKING ANYTIME - ESTABLISH

Waterville Street, east side, across from the north property line of 6 Waterville Street, to the northern terminus of the roadway.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**TAXI ZONE - ESTABLISH**

Polk Street, west side, between McAllister and Redwood Streets.

TAXI STAND - RESCIND

Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 9 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Oak Street, both sides, between Gough and Octavia Streets (200 block)

179 Oak Street (adds specific address only, no permit parking signs will be installed on the 100 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Baker Street, east side, between Turk Street and Golden Gate Avenue (legislating existing conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Noe Street, east side, from Elizabeth Street to 11 feet southerly (accommodates two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "U", 2-HOUR TIME LIMIT, 8 AM TO 10 PM, MONDAY THROUGH SUNDAY - ESTABLISH

Stillman Street, north side, from 3rd Street to 135 west of 3rd Street

101 and 147 Stillman Street, south side, between 3rd and 4th Streets (adds specific addresses only); and

470 - 3rd Street, west side, between Bryant and Stillman Streets (adds specific addresses only).

PARKING METER NO. 3 (1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY)

Stillman Street, north side, between 135 feet and 410 feet west of 3rd Street.

(Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

Question: Shall this Resolution be ADOPTED?

8. 040348 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Eastbound Plymouth Avenue onto northbound Plymouth Avenue.

RIGHT LANE MUST TURN RIGHT - RESCIND

Polk Street, west side, between McAllister and Redwood Streets.

(Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

9. 040274 [Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]
Supervisors Maxwell, McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.
- 4/27/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 040299 [Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]
Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
11. 040300 [Settlement of Lawsuit - Anthony Bell]
Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Alioto-Pier

12. 040353 [Settlement of Claim - Irene Huang]

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery.

(City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier, Hall

13. 040396 [Appointment - Power Plant Task Force]

Resolution appointing Philip DeAndrade, Richard Millet, L. Joseph Boss and John Borg, terms ending November 1, 2005, to the Power Plant Task Force.

Philip DeAndrade, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Richard Millet, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

L. Joseph Boss, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

John Borg, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

Question: Shall this Resolution be ADOPTED?

14. 040439 [Appointment - Animal Control and Welfare Commission]

Resolution appointing Laurie Kennedy, Joanne Kipnis and Dr. Mara Weiss, terms ending April 30, 2006, to the Animal Control and Welfare Commission.

Laurie Kennedy, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Joanne Kipnis, succeeding herself, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Dr. Mara Weiss, succeeding Kelly Jensen, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2006.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier

15. 040489 **[Appointment - Commission on Aging Advisory Council]**
Resolution appointing Robert Lipman, Jessica Bay, Carlos Serrano-Quan and Catherine Russo, terms ending March 31, 2006, and Marie Conroy-Salbi, term ending March 31, 2005, to the Commission on Aging Advisory Council.
Robert Lipman, succeeding himself, term expired, seat 1, must be a nominee of District 2 Supervisor for a two-year term ending March 31, 2006.
Jessica Bay, succeeding Marie Conroy-Salbi, term expired, seat 4, must be a nominee of District 3 Supervisor for a two-year term ending March 31, 2006.
Carlos Serrano-Quan, succeeding Edmund Jew, term expired, seat 5, must be a nominee of District 4 Supervisor for a two-year term ending March 31, 2006.
Catherine Russo, succeeding herself, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2006.
Marie Conroy-Salbi, succeeding Tsuyako Kitashima, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

Question: Shall this Resolution be ADOPTED?

16. 040529 **[Appointment - Bicycle Advisory Committee]**
Resolution appointing Lionel Shaw, term ending November 19, 2004, to the Bicycle Advisory Committee.
Lionel Shaw, new appointment, seat 2, must be a nominee of District 2 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

17. 040438 [Public Defender Requisition Request]
Supervisors Gonzalez, Daly
Motion granting the Office of the Public Defender's Requisition #PE4018/1074384.

4/13/2004, CONTINUED. Continued to May 11, 2004
Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Motion be APPROVED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Hall

18. 040092 [Evaluation of food preparation and service establishments by Department of Public Health, issuance of Symbol, and posting of inspection reports at food preparation and service establishments]
Supervisor Hall
Ordinance amending the San Francisco Health Code by adding a new section 456 et seq. to establish a Symbol issued by Department of Public Health for inspection of food preparation and service establishments, requiring posting of Symbol and inspection reports by food preparation and service establishments, and providing penalties for lack of compliance.

4/27/2004, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/27/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

19. 040227 **[Construct retaining walls in public right-of-way to provide for parking garage driveway and level entry to a new resident at 719 Peru Avenue]**
Resolution granting, through May 10, 2005, revocable permission to Alan Tran to occupy a portion of the street area along Peru Avenue for the purpose of constructing and maintaining retaining walls in order to provide for a parking garage driveway and a level entry to a new building at 719 Peru Avenue (Assessor Block 5943, Lot 024); conditioned upon the payment of a \$1,000 fee from Alan Tran to the City and County of San Francisco.
(Public Works Department)

4/27/2004, CONTINUED. Continued to May 11, 2004.

Question: Shall this Resolution be ADOPTED?

20. 040228 **[Construct retaining walls in public right-of-way to provide for a parking garage driveway and level entry to a new resident at 715 Peru Avenue]**
Resolution granting, through May 10, 2005, revocable permission to Robert C. M. & Lori O. W. Chiang to occupy a portion of the street to construct retaining walls in public right-of-way in order to provide for a parking garage driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025); conditioned upon the payment of a \$1,000 fee from Robert and Lori Chiang to the City and County of San Francisco.
(Real Estate Department)

4/27/2004, CONTINUED. Continued to May 11, 2004.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

21. 040451 [City Hiring Freeze]
 Supervisor Sandoval
 Ordinance prohibiting the City from filling new or vacant positions except for enterprise or non-General Fund departments or where the Mayor determines that certain exceptions apply, and setting an expiration date.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Hall

22. 040330 [California Stem Cell Research and Cures Initiative]
 Supervisors Alioto-Pier, Maxwell, Dufty
 Resolution endorsing The California Stem Cell Research and Cures Initiative, a measure for the November 2004 statewide ballot, which will both support important scientific research and create jobs in California.
 Supervisor Hall dissenting.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

23. 031839 [Sidewalk Parking Fine Increase]
 Supervisor Daly
 Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from \$75.00 to \$100.00 as of July 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule.
 (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040236 [Community Choice Aggregation Program]
Supervisors Amuniano, Maxwell, Gonzalez, Peskin, Daly
Ordinance establishing a Community Choice Aggregation Program in accordance with California Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394, and 394.25, allowing San Francisco to aggregate the electrical load of electricity consumers within San Francisco and to accelerate the introduction of renewable energy, conservation and energy efficiency into San Francisco's portfolio of energy resources.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 040362 [To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda), and related consultant and administrative costs for the Municipal Transportation Agency]
Mayor
Ordinance appropriating \$12,274,340 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 040364 [Municipal Transportation Agency Contract No. CS-103 with Booz Allen & Hamilton Inc.]
Mayor
Resolution authorizing the Municipal Transportation Agency to enter into Amendment No. 4 to Municipal Railway Contract No. CS-103 with Booz Allen & Hamilton Inc., for further engineering services through closeout of Muni's Light Rail Replacement Program, for (1) further consulting services through closeout of Muni's light rail vehicle replacement program, (2) a contract increase not to exceed \$1,500,978, for a total contract amount not to exceed \$17,223,332; and (3) a contract extension through December 31, 2007.
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?
27. 040384 [Municipal Transportation Agency Contract Modification No. 12 with ANSALDOBREDA S.p.a]
Mayor
Resolution authorizing the Municipal Transportation Agency to enter into Contract Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles; and (5) modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions of the contract to address the new work; all in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455.
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?

28. 040537 [Surplus City Property]**Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 23A.4, 23A.6, 23A.7, 23A.8, 23A.10, and 23A.11, and adding Section 23A.9, to specify procedures for identification of surplus City real property, assessment of the use of such property for housing for the homeless, and approvals for disposition and development of appropriate surplus real property and to establish a Citizens' Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 040538 [Interdepartmental Jurisdictional Transfer of Surplus Property]**Supervisor Daly**

Ordinance transferring jurisdiction from the Department of Public Works, the Department of Human Services, and the Real Estate Division of the Administrative Services Department to the Mayor's Office of Housing over the real property commonly known as 301 Wilde; 2627 Cesar Chavez; 600 Bosworth Avenue; 859 Dwight; 455 Bush Street; 401 Franconia; 395 Justin Drive; 1051 Palou; 341 Corbett; 4011 Mission Street; 691 Alemany; 114 Elmira; 2198 Thomas Avenue; 149 Milton Street; 59 Ord Court; 949 Vermont Street; 525 Golden Gate Avenue; 150-170 Otis Street; 100 Broadway Street; 735 Battery Street; and 155 Grove Street and over the real property located near the intersections of Alemany and Ocean; Bayshore Boulevard and Silver Avenue; Bosworth and Burnside; Cesar Chavez and Guerrero Streets; Cayuga and Geneva Avenue; Geneva and Ocean Avenues; Hester Avenue and Bayshore Boulevard; Jerrold Avenue and Rankin; Junipero Serra and Shields Street; Palo Alto and Glenbrook; San Jose and Cuvier Street; Roosevelt Way at Henry Street; Palou and Rankin; Lawton and 20th Avenue; SE Carl and Arguello; DeLong and San Diego; LaGrande and Mansfield; Roosevelt and Park Hill; Augusta and Charter Oak; for assessment of each property for development as affordable housing consistent with Chapter 23A of the Administrative Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 040447 [Accept-Expend Federal Funding - HOME Program]**Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$8,804,425 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2004 Action Plan for San Francisco's Consolidated Plan; and placing \$82,718 on reserve.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

31. 040448 [Accept-Expend Federal Funding - Community Development Block Grant]**Mayor**

Resolution approving the 2004 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2004 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,374,675 which include indirect costs of \$150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$2,372,271 on reserve.

Question: Shall this Resolution be ADOPTED?

32. 040449 [Federal Funding – Emergency Shelter Grants Program]

Supervisor Duffy

Resolution approving the 2004 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$924,509 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development; placing \$96,115 on reserve.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

33. 040454 [General Obligation Refunding Bonds, Series 2004-R1]**Mayor**

Resolution authorizing the issuance from time to time in one or more series of not to exceed \$800,000,000 Aggregate Principal Amount of City and County of San Francisco General Obligation Refunding Bonds; approving the form and authorizing the execution of General Obligation Refunding Bonds; approving the form and authorizing the execution of Declarations of Trust; authorizing the appointment of depositories and other agents; approving the form and authorizing the execution and delivery of Escrow Agreements; approving the tax levy for repayment of the General Obligation Refunding Bonds; approving procedures for the sale and award of General Obligation Refunding Bonds; approving the form of Official Notices of Sale; authorizing the publication of Notices of Intention to Sell; approving the form of and authorizing the execution and delivery of Bond Purchase Agreements; approving the form and authorizing the execution and delivery of Continuing Disclosure Certificates; authorizing selection of underwriters; approving the form of and authorizing the distribution of Preliminary Official Statements and authorizing execution and delivery of Official Statements; approving the appointment of verification agents; approving the retention of other agents and payment of compensation to such agents; authorizing payment of costs of issuance; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said General Obligation Refunding Bonds and the refunding of certain outstanding General Obligation Bonds.

Question: Shall this Resolution be ADOPTED?

34. 040455 [Refunding Redevelopment Agency of the City and County of San Francisco Lease Revenue Bonds, Series 1994, (George R. Moscone Convention Center)]**Mayor**

Resolution approving the issuance and sale of lease revenue refunding bonds to refinance lease revenue bonds previously issued and sold by the Redevelopment Agency of the City and County of San Francisco (the "Agency"); authorizing the release of reserved monies; approving the form of a project lease between the Agency and the City and County of San Francisco (including certain indemnities contained therein); approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; approving the form of irrevocable refunding instructions; and, ratifying previous actions taken in connection therewith; continuing to reserve \$2,140,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

**35. 030679 [Resource Efficiency Requirements and Green Building Standards]
Supervisors Ammiano, Maxwell, Peskin**

Ordinance repealing Chapter 7 of the Environment Code, Resource Efficiency Requirements, and adding a new Chapter 7 to the Environment Code to adopt and incorporate new provisions for green building design principles for City construction projects and to reconfigure the existing Resource Efficiency Building Task Force.

2/10/2004, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 031463 [Zoning - Large-scale Retail Use]
Supervisors Ammiano, Dufty, Gonzalez, McGoldrick
Ordinance amending the Planning Code to add section 121.6 to impose a conditional use requirement for large-scale retail uses in excess of 50,000 gross square feet outside of the C-3 zoning districts and in excess of 90,000 gross square feet within the C-3 zones, to prohibit such uses if they are in excess of 120,000 gross square feet in any zone other than the C-3 zones, and to prohibit specified large-scale retail uses in excess of 120,000 gross square feet in the C-3 zones; amending Planning Code section 303 to add findings for the abovementioned uses concerning active street frontage patterns, mixed-use building opportunities, and other criteria set forth herein; making findings of consistency with the General Plan and Planning Code section 101.1(b); and exempting from this legislation those uses for which the City received a site permit application prior to July 15, 2003.
Supervisor Maxwell dissenting.

3/9/2004, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 040315 [Designating 2362 Market Street, the Jose Theater / Names Project building, as a Landmark Under Planning Code Article 10]
Supervisors Dufty, Maxwell, Peskin
Ordinance designating 2362 Market Street, the Jose Theater / Names Project Building, as Landmark No. 241 Pursuant to Article 10, Sections 1004 And 1004.4 Of the Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 040443 [Designating 2550 Mission Street, the New Mission Theater, as a Landmark]
Supervisors Ammiano, Maxwell, Peskin
Ordinance designating 2550 Mission Street, the New Mission Theater, as Landmark No. 245.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 040413 [Central Freeway Alternative Configurations]
Supervisors Ammiano, Dufty
Resolution urging the Governor to postpone future retrofits of the Central Freeway deck and to commit the State to participate in a study of alternative future configurations for the Central Freeway.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Hall

40. 020585 [Establishing a Library Citizens Advisory Committee]
Supervisor Daly
Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.
- 2/10/2004, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
41. 040268 [Appointment - Treasure Island Development Authority Citizens Advisory Committee]
Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.
Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.
Supervisor Maxwell dissenting.
- 3/23/2004, RE-REFERRED to Rules Committee.
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Maxwell, Alioto-Pier, Gonzalez*
42. 040403 [Confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in raising only of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

43. 040425 [Public Hearing - Appeal, Conditional Use - 2599 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16742 dated March 18, 2004 approving a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon Wireless telecommunications network within the NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938. (Appellant: Mary Irene Zemanek.) (Filed April 12, 2004; categorically exempt from environmental review process under (CEQA); companion measure to Files 040426, 040427, 040428, District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**44. 040426 [Appeal, Conditional Use - 2599 Lombard Street]**

Motion approving decision of the Planning Commission by its Motion No. 16742, approving Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

45. 040427 [Appeal, Conditional Use - 2599 Lombard Street.]

Motion disapproving decision of the Planning Commission by its Motion No. 16742, approving Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

46. 040428 [Findings - 2599 Lombard Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

47. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

48. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 49 through 66**49. 040232 [Proposition 36 Research Study]
Supervisors Alioto-Pier, Dufty**

Resolution authorizing the San Francisco Department of Public Health, Treatment Access Program, Community Behavioral Health Services (SFPDH, TAP, CBHS) to enter retroactively into an agreement, which includes an indemnification clause, with The Regents of the University of California, University of California at Los Angeles Integrated Substance Abuse Program (UCLA ISAP), the primary contractor, and expend funds in the amount of \$100,000 to participate in a Proposition 36 research study, for the period of November 1, 2003 to November 1, 2005.

4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 040531 [Local Vehicle License Fee Restoration]
Mayor, Supervisor Duffy
Resolution urging the California State Legislature to pass legislation to allow local governments to obtain voter approval to restore the Vehicle License Fee.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 040533 [Public hearing approval for the issuance and sale of revenue bonds by ABAG Finance Authority for Urban School of San Francisco]
Supervisor Gonzalez
Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$8,000,000 for the Urban School of San Francisco.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 040534 [Funding Levels for Department of Aging and Adult Services]
Supervisors Daly, McGoldrick, Sandoval, Duffy
Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 040545 [Establishing Accessible Voting Systems for November 2004 Election]
Supervisor Alioto-Pier
Resolution directing the Department of Elections to immediately determine the cost of implementing touch screen voting systems for the disabled for the November 2004 election.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 040546 [Commending Elizabeth Goldstein]
Supervisors Duffy, Maxwell, Alioto-Pier, Sandoval, Ammiano, Peskin, Daly, McGoldrick, Gonzalez
Resolution commending Recreation and Park General Manager Elizabeth Goldstein.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

55. 040547 **[Urging the Mayor's Office of Housing to compute and utilize a "SF Median Income" figure]
Supervisor Gonzalez**
Resolution urging the Mayor's Office of Housing to compute a median income figure based exclusively on San Francisco data, rather than on a multi-county figure, and further urging them to utilize the new median figure for all appropriate, locally-funded housing programs.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
56. 040548 **[Asian American Pacific Islander Month]
Supervisors Ma, Dufty**
Resolution declaring May 2004 "Asian American Pacific Islander Month" in the City and County of San Francisco.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
57. 040549 **[Commending Hands On San Francisco]
Supervisors Ma, Dufty**
Resolution recognizing Hands On San Francisco for its achievements and declaring May 8, 2004 to be "Hands On San Francisco Day" in the City and County of San Francisco.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
58. 040550 **[Urging Support of Federal Funding for Residential Substance Abuse Treatment Services]
Supervisors Ma, Dufty**
Resolution urging the San Francisco Congressional delegation to support federal funding for residential substance abuse treatment services for women with children.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
59. 040551 **[Residential Substance Abuse Services for Women and Children as a Funding Priority]
Supervisors Ma, Dufty**
Resolution urging the City and County of San Francisco to set residential substance abuse services for women and children as a funding priority for the social benefit and cost savings they promote for San Francisco.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

60. 040552 **[Urging the Transfer and Relocation of the Elephants at the San Francisco Zoo]**
Supervisors Ma, Dufty
Resolution urging the San Francisco Zoological Society to transfer ownership of and relocate elephants Lulu and Tinkerbelle to a credible sanctuary and to make the move in compliance with USDA regulations and the American Zoo and Aquarium Association's Elephant Species Survival Plan.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 040553 **[Commending the Excelsior Neighborhood Commercial Revitalization project (ENCoRe) and artist Marta Ayala]**
Supervisor Sandoval
Resolution commending the Excelsior Neighborhood Commercial Revitalization project (ENCoRe) and artist Marta Ayala for the installation of murals at the Woolworth site at 4550 Mission Street.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 040554 **[Commending Margie Stokes]**
Supervisors Sandoval, Ammiano
Resolution commending Margie Stokes on her decades-long commitment to the child care field, and in celebration of her 70th birthday.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
63. 040555 **[Commending the Cornerstone Missionary Baptist Church]**
Supervisors Sandoval, Maxwell
Resolution commending the Cornerstone Missionary Baptist Church on the occasion of its 4th anniversary.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 040556 **[Public Works Week]**
Supervisors Hall, Dufty
Resolution declaring May 17 through May 21 2004, as Public Works Week in the City and County of San Francisco.
- 4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

65. 040402 [Final Map for a 8 Lot Subdivision - Hanover/20V Watt Avenue]
Motion approving Final Map of Hanover/Watt, being a subdivision of Lot 1 in Assessor's Block No. 6494, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,733; District 11.)

4/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. 040530 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:_____*

67. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 20, 2004 through May 3, 2004, for reference by President to appropriate committee on May 11, 2004.

- 040442 [Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]
Ordinance 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)
- 4/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 040450 [Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]
Ordinance 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)
- 4/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 040494 [Settlement of Lawsuit - Novoa-Huf, et al.]
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al.
(City Attorney)
- 4/26/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 040572 [Settlement of Lawsuit - Doug Barkus]
Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al.
(City Attorney)
- 5/3/2004, RECEIVED AND ASSIGNED to Rules Committee.

040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al., and authorizing payment of attorneys fees and costs incurred by the City. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007.

(City Attorney)

5/3/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 20, 2004 through May 3, 2004, for reference by President to appropriate committee on May 11, 2004.

040433 [Report of assessment costs for sidewalk and curb repairs - DPW Order No. 174,747]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street.

(Public Works Department)

(DPW Work Order No. 174,747; Locations: 873 Alvarado Street; 850 Geary Street; 162-164 Langton Street; 168 Langton Street; 170-10th Street; and 3356/3360-24th Street.)

4/22/2004, SCHEDULED FOR PUBLIC HEARING.

040434 [Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]

Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for \$27,904.60; Claim No. 04-01488 was filed on November 25, 2003.

(City Attorney)

4/26/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 040484 [Evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm]**
Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$106,788 from the Regents of the University of California San Francisco, Universitywide AIDS Research Program (UCSF,UARP) to evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm and to enter into an agreement for the use of these funds; for the period of February 1, 2004 to July 31, 2005.
(Public Health Department)
- 4/27/2004, RECEIVED AND ASSIGNED to City Services Committee.
5/3/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
- 040507 [Drug court partnership program for non-violent drug offenders]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$425,175 from the California Department of Health Services (CDHS) to provide drug court partnership funds and to enter into an agreement for the use of these funds; for the period of July 1, 2003, to June 30, 2004.
(Public Works Department)
- 4/27/2004, RECEIVED AND ASSIGNED to City Services Committee.
5/3/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
- 040569 [Outreach Advertising]**
Resolution designating El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; Asian Week to be the outreach newspaper of the City and County of San Francisco for the Chinese community; and, the San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community, to provide outreach advertising services for the fiscal year commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)
- 4/27/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 040570 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 03-04]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2003-2004.
(Parking and Traffic Department)
- 4/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 040571 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 04-05]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2004-2005.
(Parking and Traffic Department)
- 4/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040575 [IHSS Contract Approval - IHSS Consortium of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2004 to June 30, 2005, in the amount of \$16,085,136.
(Human Services Department)

5/5/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040579 [Petitions and Communications]

Petitions and Communications received from April 20, 2004 through May 3, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 11, 2004.

From Office of the Controller, submitting summary of master fee schedule for departmental licenses, permits, fines & service charges as submitted with departmental proposed budget submissions. Copy: Budget Committee (1)

From Residential Rent Stabilization and Arbitration Board, submitting annual report on eviction notices filed in San Francisco. (2)

From Department of Public Works, submitting copy of the Environmental Control Officers Status Report for July 1, 2003 through December 31, 2004. (3)

From Peter Warfield, submitting copy of letter he wrote entitled "RFID raises privacy red flag" that was published in the April edition of the American Libraries Magazine. (4)

From Office of the Controller, submitting a follow up on the Department's report entitled "The City Needs Better Information on the Improved Management of Its Sole Source Contracts." (5)

From Abdalla Megahed, submitting copy of letter sent to Director of Public Health regarding formal complaint against a nurse at the "Next Door" dormitory whom ordered employees to remove him from the building for no reason. (6)

From Planning Department, submitting a preliminary Negative Declaration for project at 937-939 Jackson Street. (7)

From Department of Public Works, urging the Board to support the siting and construction of Openhouse, a non-profit organization preparing to open a residential facility primarily serving LGBT elders and their families and friends. Copy: Each Supervisor (8)

From Department of Parking and Traffic, responding to request to remove the commercial parking spaces in front of 4627 Mission Street and the adjacent businesses. (Reference No. 20040309-004) Copy: Supervisor Sandoval (9)

From Civil Service Commission, submitting report regarding Salary Survey of Registered Nurse Classifications for fiscal year 2004-2005. Copy: Each Supervisor (10)

From Department of Human Resources, submitting quarterly report of economic settlements for the quarter January 1, 2004 through March 31, 2004. (11)

From Department of Public Works, regarding the existing rock garden at 369 Hill Street. (12)

From San Francisco Association of Realtors, submitting opposition to proposed amendment of San Francisco's Transit Impact Development Fee ordinance passed in 1981. File 040141, Copy: Each Supervisor (13)

From Building Inspection Commission, submitting support for proposed legislation on work practices for lead-based paint and fees for implementation of work practices program provisions regarding interiors. File 031991 (14)

From Office of the Controller, regarding investments of City funds or employee retirement funds in companies that are doing business with counties that sponsor or have sponsored terrorism. (Reference No. 20040127-004) Copy: Supervisor McGoldrick (15)

From S.F. State University, submitting support for appointment of Ms. Gayle Orr-Smith as a member of the Police Commission. Copy: Each Supervisor (16)

From Department of Public Works, submitting notice that the appellants' signatures for proposed project at 2599 Lombard Street represent owners of more than 20% of the area and are therefore sufficient for appeal. (17)

From Clerk of the Board, submitting list of organizations, including the membership cost in which the Board of Supervisors/Clerk of the Board's Office wishes to be a member in fiscal year 2004-05. (18)

From concerned citizens, regarding the enforcement of dog leash laws at Fort Funston. (19)

From concerned citizens, regarding proposal from Recreation and Park to cut the recreational facilities replacement project that was planned for the reservoir top at the Midtown Terrace Reservoir Top. (20)

From concerned citizens, urging the Board to urge the Fire Chief to have all San Francisco Fire Engines staffed with paramedics. (21)

From SPUR Transportation Committee, submitting copy of letter sent to the Redevelopment Agency urging them to certify the Transbay/Caltrain Downtown Extension/Redevelopment Plan Project's Final Environmental Report as soon as possible. (22)

From Office of the Treasurer & Tax Collector, submitting quarterly report of accounts receivable for the period of January 1, 2004 through March 31, 2004. (23)

From concerned citizens, submitting support for the new Chapter 7 of the Environment Code: Resource Efficiency Requirements and Green Building Standards for City construction projects. File 030679 (24)

From Senate Rules Committee, submitting appointment of P. Michael Chrisman of Visalia as Secretary of the California Resources Agency. (25)

From Department of Public Health, submitting quarterly AIDS Surveillance report for AIDS cases reported for the period of January 1, 2004 through March 31, 2004. (26)

From Karen Browne, submitting opposition to proposed legislation that would require workers engaged in motion picture services for shows on property owned by the City and County of San Francisco be paid the prevailing rate of wage. File 021505, Copy: Each Supervisor (27)

From Bill Quan, regarding interest on residential rental security deposits in San Francisco. File 040101 (28)

From Mayor's Memorial Day Citizen's Committee, submitting copy of letter sent to Grants for the Arts regarding written request for \$20,000 for the 2004 Veteran's Day Parade and \$10,000 for the 2005 Memorial Day Ceremony. (29)

From Planning Department, submitting mitigated negative declaration for proposed project at 937-939 Jackson Street. Copy: Each Supervisor (30)

From Bill Brennan, regarding the mentally ill living on the streets of San Francisco. (31)

From James Chaffee, regarding the Library Preservation Fund passed by the voters in 1995, that would "increase library hours" and "acquire books and materials." Copy: Each Supervisor (32)

From Gregory Price, submitting opposition to the City's request that SEIU members continue to pay the 7.5% retirement pickup. (33)

From Comcast Communications Inc., submitting notice of a rate decrease for Limited Basic only subscribers of Comcast Cable. (34)

From Bay Area Women's and Children's Center, commending the work of Police Captain Kathryn Brown, as well as the work of the officers at the Tenderloin Police Station. Copy: Each Supervisor (35)

From Round the Diamond, regarding voter education and outreach position at the Department of Elections. Copy: Each Supervisor (36)

From the Law Offices of Olumide K. Obayemi, regarding environmental justice for the people of Bay View Hunters Point and other communities. (37)

From Pillsbury Winthrop LLP, submitting support for appointment of Elizabeth Stahlstrom to the Treasurer Island Citizen Advisory Board. File 040268 (38)

From Animal Care and Control Department, submitting notice beginning mid-April the "Animal Cops" film crew joined the Animal Control Officers at San Francisco Animal Care and Control to follow them in the performance of their duties. (39)

From Laurie J. Kennedy, submitting support for the reappointment of Joanne Kipinis to the Commission of Animal Control and Welfare. (40)

From Mark Tanaka, urging the Board to urge the Concourse Authority to delay work on demolishing the northeast tunnel in Golden Gate Park. (41)

From Jason Glick, regarding the proposed development of the new Transbay Terminal and proposed construction of property located at 80 Natoma Street. (42)

From the Port, submitting budget report for the third quarter of fiscal year 2003-04. (43)

From US Army Corps of Engineers, submitting notice of application to place fill into 0.95 acres of jurisdictional seasonal wetlands for the purpose of constructing the Martin/Hearn residential housing subdivision in Santa Rosa, Ca. (44)

From concerned citizens, submitting opposition to Verizon wireless telecommunications installing a cellphone antenna at 2599 Lombard Street, directly behind a residence. File 040425 (45)

From SEIU, submitting letters from SEIU, Local 790 members opposing the City's request that members continue to pay the 7.5% retirement pickup. Approximately 1000 letters (46)

From the Port, responding to an article in the S.F. Chronicle's April 27, 2004 paper regarding the San Francisco Port putting profits for developers above rent to San Franciscans. (47)

From Department of Child Support Services, submitting request for waiver of Administrative Code Chapters 12B and 12C for City College to provide "Supervisor Training" for supervising Child Support Officers at the Department of Child Support Services. (48)

From Sun Hui Kim, submitting request for a type 48 liquor license for Fizzee's located at 3954 Geary Boulevard (49)

From Fire Department, regarding the Department's apparatus navigating the narrow street on the block of 300 Winding Way. (Reference No. 20040330-006) Copy: Supervisor Sandoval (50)

From Recreation and Park Department, submitting quarterly report in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. (51)

From Chief Medical Examiner, submitting overtime report for fiscal year 2002-03 and fiscal year 2003-04. (52)

From Joanne McGrail, urging the Board to do all that it can to stop the park rangers from trying to force dog walker's out of Ft. Funston and Crissy Field. (53)

From Office of the Chancellor, submitting notice of meeting on May 12, 2004 regarding the College's Environmental Impact Report for the new Master Plan which focuses significantly on City College's Ocean Avenue Campus. (54)

From S.F. Association of Realtors, submitting opposition to proposed legislation regarding a city-wide conditional use requirement for large-scale retail uses in excess of 50,000 gross square feet and prohibiting such uses in all C-3 zones if they are in excess of 120,000 gross square feet. File 031463, Copy: Each Supervisor (55)

From State Senate Rules Committee, submitting reappointment of Senator Patrick Johnson of Stockton of the California Bay-Delta Authority. (56)

From Department of Public Health, submitting the annual list of membership organizations for fiscal year 2004-05. (57)

From Department of Human Resources, regarding the MCCP structure and definitions for 18-management job codes. Copy: Supervisor Daly (58)

From State Water Resources Control Board, submitting notice of supplemental public hearing on potential revisions to the California Ocean Plan. (59)

From Department of Parking and Traffic, Bicycle Program Manager, submitting copy of letter sent to Mayor Newsom urging him to reinstate Jean Miranda as the Employee Program Assistance (EPA) Director. Copy: Each Supervisor (60)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance to limit the basic floor area ratio for C-M zoning districts from 3.0 to 1. Copy: Each Supervisor (61)

From Alfred Maffei, submitting opposition to proposed legislation to increase the property transfer tax. (62)

From concerned citizens, submitting support for the new Chapter 7 of the Environment Code regarding resource efficiency requirements and green building standards for City construction projects. File 030679 (62)

From Mayor's Memorial Day Citizen's Committee, submitting notice of the 136th San Francisco Memorial Day Ceremony at the Presidio's San Francisco National Cemetery on May 31, 2004, starting at 10:30 a.m. Copy: Each Supervisor (63)

From Richard Robinson, submitting suggestion that the hotel next door to the Community Awareness and Treatment Service (CATS) be purchased by the City in order to extend the service at 39 Fell Street. (64)

From Catherine De Luca, urging the Board to urge the Fire Chief to keep the firehouse at Olympia Way and Clarendon open. (65)

From Department of Public Health, submitting the San Francisco Monthly STD report for March 2004. (66)

From Kathleen Jarvis, submitting opposition to the New May Wah market at Clement and 8th Avenue blocking the sidewalk with fruit and veggie stands as well as deliveries of food stacked on the street side of the sidewalk because it is a hazard to pedestrians. (67)

From Mike and Martha Hagmaier, commenting on the tragic loss of two elephants at the San Francisco Zoo in the past few weeks. File 040510 (68)

From PG & E, submitting monthly list of stopped accounts delinquent over 90 days. (69)

From S.F. Bay Area Rapid Transit District, submitting annual report for 2003. (70)

From U.S. Department of the Interior, submitting request for comments and data on the proposed designation of critical habitat for the threatened California red-legged frog. (71)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY 13 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 18, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

1. 040451 [City Hiring Freeze]
Supervisors Sandoval, Hall
Ordinance prohibiting the City from filling new or vacant positions except for enterprise or non-General Fund departments or where the Mayor determines that certain exceptions apply, and setting an expiration date.

5/11/2004, PASSED ON FIRST READING. Supervisor Hall requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

2. 040236 **[Community Choice Aggregation Program]**
Supervisors Ammiano, Maxwell, Gonzalez, Peskin, Daly, McGoldrick
Ordinance establishing a Community Choice Aggregation Program in accordance with California Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394, and 394.25, allowing San Francisco to aggregate the electrical load of electricity consumers within San Francisco and to accelerate the introduction of renewable energy, conservation and energy efficiency into San Francisco's portfolio of energy resources.

5/11/2004, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin

3. 040352 **[Lease of Real Property - 1060 Howard Street]**
Supervisors Daly, Peskin
Resolution authorizing the lease of 4,592 sq. ft. of clinic space in the building located at 1060 Howard Street, San Francisco for the Department of Public Health.
(Real Estate Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

4. 040430 **[Contracting out Parking Citation Processing/Collection System Services]**
Resolution concurring with Controller's certification that citation processing and collection services can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

5. 040431 **[Contracting out Parking Meter Management System Services]**
Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

6. 030679 [Resource Efficiency Requirements and Green Building Standards]
Supervisors Ammiano, Maxwell, Peskin, Daly
Ordinance repealing Chapter 7 of the Environment Code, Resource Efficiency Requirements, and adding a new Chapter 7 to the Environment Code to adopt and incorporate new provisions for green building design principles for City construction projects and to reconfigure the existing Resource Efficiency Building Task Force.
- 2/10/2004, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.
- 5/11/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.
- Question: Shall this Ordinance be **FINALLY PASSED**?
7. 040315 [Designating 2362 Market Street, the Jose Theater / Names Project building, as a Landmark Under Planning Code Article 10]
Supervisors Dufty, Maxwell, Peskin
Ordinance designating 2362 Market Street, the Jose Theater / Names Project Building, as Landmark No. 241 Pursuant to Article 10, Sections 1004 And 1004.4 Of the Planning Code.
(Planning Department)
- 5/11/2004, PASSED ON FIRST READING.
- Question: Shall this Ordinance be **FINALLY PASSED**?
8. 040443 [Designating 2550 Mission Street, the New Mission Theater, as a Landmark]
Supervisors Ammiano, Maxwell, Peskin, Daly
Ordinance designating 2550 Mission Street, the New Mission Theater, as Landmark No. 245.
- 5/11/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.
- Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Hall

9. 020585 [Establishing a Library Citizens Advisory Committee]
Supervisor Daly
Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.
- 2/10/2004, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.
- 5/11/2004, PASSED ON FIRST READING.
- Question: Shall this Ordinance be **FINALLY PASSED**?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

10. 040299 **[Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]**
Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 5/11/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 040300 **[Settlement of Lawsuit - Anthony Bell]**
Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 5/11/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 040393 **[Settlement of Lawsuit - 555 California Street Partners, et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 040356 **[Appointment - Immigrant Rights Commission]**
Resolution appointing Zina Spektor, term ending June 6, 2005, to the Immigrant Rights Commission. Zina Spektor, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2005.
- Question: Shall this Resolution be ADOPTED?

14. 040446 [Confirming the appointment of Peter Mezey to the Municipal Transportation Agency Board of Directors]

Mayor

Resolution confirming the appointment of Peter Mezey to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Question: Shall this Resolution be ADOPTED?

15. 040580 [Appointment - Lead.Hazard Reduction Citizens Advisory Committee]

Resolution appointing James Hutchinson, term ending December 31, 2006, to the Lead Hazard Reduction Citizens Advisory Committee; residency requirement waived.

James Hutchinson (residency requirement waived), succeeding himself, term expired, Seat No. 2, must represent the Bureau of Bldg. Inspection, DPW or designee, for the unexpired portion of a three-year term ending December 31, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

16. 031839 [Sidewalk Parking Fine Increase]
Supervisor Daly

Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from \$75.00 to \$100.00 as of July 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule.
(Parking and Traffic Department)

5/11/2004, CONTINUED. Continued to May 18, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 040537 [Surplus City Property]
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 23A.4, 23A.6, 23A.7, 23A.8, 23A.10, and 23A.11, and adding Section 23A.9, to specify procedures for identification of surplus City real property, assessment of the use of such property for housing for the homeless, and approvals for disposition and development of appropriate surplus real property and to establish a Citizens' Advisory Committee.

5/11/2004, AMENDED.

5/11/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

18. 040538 [Interdepartmental Jurisdiction Transfer of Surplus Property]
Supervisor Daly

Ordinance transferring jurisdiction from the Department of Public Works, the Department of Human Services, and the Real Estate Division of the Administrative Services Department to the Mayor's Office of Housing over the real property commonly known as Ordinance transferring jurisdiction from the Department of Public Works, the Department of Human Services, and the Real Estate Division of the Administrative Services Department to the Mayor's Office of Housing over the real property commonly known as 301 Wilde; 395 Justin Drive; 1051 Palou; 341 Corbett; 114 Elmira; 949 Vermont Street; 150-170 Otis Street; 100 Broadway Street; 735 Battery Street; and 155 Grove Street and over the real property located near the intersections; Geneva and Ocean Avenues; Junipero Serra and Shields Street; San Jose and Cuvier Street; Roosevelt Way at Henry Street; Lawton and 20th Avenue; for assessment of each property for development as affordable housing consistent with Chapter 23A of the Administrative Code.

5/11/2004, PASSED ON FIRST READING AS DIVIDED.

Question: Shall this Ordinance be FINALLY PASSED?

19. 040362 [To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda), and related consultant and administrative costs for the Municipal Transportation Agency]

Mayor

Ordinance appropriating \$12,274,340 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.
(Fiscal impact.)

5/11/2004, CONTINUED. Continued to May 18, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 040364 [Municipal Transportation Agency Contract No. CS-103 with Booz Allen & Hamilton Inc.]
Mayor

Resolution authorizing the Municipal Transportation Agency to enter into Amendment No. 4 to Municipal Railway Contract No. CS-103 with Booz Allen & Hamilton Inc., for further engineering services through closeout of MUNI's Light Rail Replacement Program, for (1) further consulting services through closeout of MUNI's light rail vehicle replacement program, (2) a contract increase not to exceed \$1,500,978, for a total contract amount not to exceed \$17,223,332; and (3) a contract extension through December 31, 2007.
(Fiscal impact.)

5/11/2004, CONTINUED. Continued to May 18, 2004

Question: Shall this Resolution be ADOPTED?

21. 040384 [Municipal Transportation Agency Contract Modification No. 12 with ANSALDOBREDA S.p.a]

Mayor

Resolution authorizing the Municipal Transportation Agency to enter into Contract Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles; and (5) modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions of the contract to address the new work; all in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455.

(Fiscal impact.)

5/11/2004, CONTINUED. Continued to May 18, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

22. 031463 [Zoning - Large-scale Retail Use]

Supervisors Ammiano, Dufty, Gonzalez, McGoldrick, Daly

Ordinance amending the Planning Code to add section 121.6 to impose a conditional use requirement for large-scale retail uses in excess of 50,000 gross square feet outside of the C-3 zoning districts and in excess of 90,000 gross square feet within the C-3 zones, to prohibit such uses if they are in excess of 120,000 gross square feet in any zone other than the C-3 zones, and to prohibit specified large-scale retail uses in excess of 120,000 gross square feet in the C-3 zones; amending Planning Code section 303 to add findings for the abovementioned uses concerning active street frontage patterns, mixed-use building opportunities, and other criteria set forth herein; making findings of consistency with the General Plan and Planning Code section 101.1(b); and exempting from this legislation those uses for which the City received a site permit application prior to July 15, 2003.

Supervisor Maxwell dissenting in committee.

3/9/2004, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

5/11/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

23. 040146 **[Determination of Fiscal Feasibility of Proposed Project]
Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

24. 031991 **[Work Practices for Lead-Based Paint and Fees For Implementation of Work Practices
Program Provisions Regarding Interiors]
Supervisors Peskin, Maxwell, Daly**

Ordinance amending Section 3407 et seq., Section 110 Table 1-A and Section 110 Table 1-P of the San Francisco Building Code to regulate work that disturbs or removes lead-based paint in the interior of pre-1979 buildings that are in Group E3, R1 or R3 occupancy classification, as well as, the exterior of pre-1979 buildings and all steel structures; establish performance standards for work that disturbs or removes lead-based paint in the interior and exterior of such buildings and steel structure; conform the process for assessing administrative penalties with that for the issuance of an Order of Abatement, to provide a surcharge fee for alteration permits sought for buildings classified as R3 and E3 that were constructed prior to 1979 to implement the lead interior safe work practices provisions of Section 3407 et seq., to provide a surcharge license fee for apartment houses and hotels constructed prior to 1979, other than those operating only as tourist hotels, to implement the lead interior safe work practices provisions of Section 3407 et seq., and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

3/30/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 031992 [Relocation of Persons Affected by Lead Hazards]**Supervisors Peskin, Maxwell, Daly**

Ordinance amending Section 596 of the San Francisco Health Code and Sections 37.3, 37.9, 72.1 to 72.3, inclusive, and 72.5 of the San Francisco Administrative Code providing for orders to vacate and notices to pay relocation benefits, providing for a hearing process under Article 11 of the Health Code if a notice to pay relocation benefits is not complied with, disallowing passthroughs to tenants of the costs of lead remediation performed in accordance with Article 11 of the Health Code when lead hazards remedied are a result of deferred maintenance; authorizing landlords to temporarily recover possession of a unit for the purposes of performing lead remediation as required by the Department in accordance with Article 11 of the Health Code but only for the minimum time required to perform the remediation; increasing relocation payments required under Chapter 72 and indexing those relocation payments to the Consumer Price Index as of July 1, 2004; and providing an alternative to making relocation payments if a comparable dwelling unit is made available.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 040301 [Approval of taxicab color scheme transfers]

Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme.
(Taxi Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 040302 [Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]

Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application.
(Taxi Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

**28. 040536 [Audit Priorities]
Supervisor Daly**

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

Question: Shall this Motion be APPROVED?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Daly, Peskin

29. 040229 [Contracting out laundry services at S.F. General Hospital]
Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by a private contractor for a lower cost than similar work performed by City and County employees.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEALS PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

30. 040524 [Public Hearing - Appeal, Final Amended Mitigated Negative Declaration for 833-881 Jamestown Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 25, 2004, approving a final amended mitigated negative declaration for the proposed condominium project located at 833-881 Jamestown Avenue, on Assessor's Block 4991, Lot 277. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.)
(Filed April 26, 2004; companion measure to Files 040525, 040526, 040527; District 10.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 040525 [Affirming adoption of the negative declaration for 833-881 Jamestown Avenue]
Motion affirming Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 040526 [Reversing adoption of the negative declaration for 833-881 Jamestown Avenue]
Motion reversing the Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
33. 040527 [Preparation of findings to reverse adoption of the negative declaration for 833-881 Jamestown Avenue]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

34. 040485 [Public Hearing - Appeal, Conditional Use - 833-881 Jamestown Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16755 dated March 25, 2004 authorizing a conditional use authorization, Case No. 1999.0233C, under Planning Code Sections 209.1(g) and 304 for a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at 833-881 Jamestown Avenue, west of Candlestick Park at the northern base of Bayview Hill; Lot 277 in the Assessor's Block 4991. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.)
(Filed April 26, 2004; companion measure to Files 040486, 040487, 040488; District 10.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

35. 040486 [Appeal, Conditional Use - 833-881 Jamestown Avenue]
Motion approving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

36. 040487 [Appeal, Conditional Use 833-881 Jamestown Avenue]
Motion disapproving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
37. 040488 [Findings - 833-881 Jamestown Avenue]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 52

40. 040587 [Issuance and sale of revenue bonds by ABAG Finance Authority for YMCA of S.F.]
Supervisor Peskin
Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 for the YMCA of San Francisco.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 040602 [Accept-Expend Robert Wood Johnson Foundation Grant]
Supervisor Hall
Resolution authorizing the Department of Aging and Adult Services to retroactively accept and expend the FY 2003-04 portion, amounting to \$112,869, of a four-year grant from the Robert Wood Johnson Foundation for the implementation of strategic system improvements to create a coordinated model of long term care and supportive services for vulnerable older adults in San Francisco.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 040605 [Commodity Supplemental Food Program]
Supervisors Dufty, Daly, Ma
Resolution urging the Mayor, the California Department of Education and the United States Department of Agriculture to allocate funding to allow the Commodity Supplemental Food Program to remain in San Francisco
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 040606 [Commending Wai Sim Cham]
Supervisor Dufty
Resolution commending Wai Sim Cham upon her retirement with the closure of China Court Restaurant after eighteen successful years serving the Castro community.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

44. 040607 [Opposing Sutter Health Hospitals pricing and collection practices]
Supervisors Alioto-Pier, Maxwell, Ammiano, Daly, Peskin, Sandoval, Gonzalez
Resolution opposing discriminatory pricing practices and aggressive debt collection at Sutter Health Hospitals.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 040608 [Bill Walsh Way]
Supervisors Dufty, Maxwell
Resolution urging the Department of Public Works to honor Bill Walsh by renaming Giants Drive "Bill Walsh Way".
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 040609 [Accept and expend gift-in-place valued at approximately \$20,000]
Supervisor Ma
Resolution accepting and expending a gift-in-place valued at approximately \$20,000 from Ms. Elley Shannon to the Recreation and Park Department for the improvement of a baseball diamond.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 040610 [Apply For State Used Oil Recycling Block Grant]
Supervisor Ma
Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 040611 [Commending the Hawai'i Chamber of Commerce of Northern California]
Supervisor Ma
Resolution commending the Hawai'i Chamber of Commerce of Northern California.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 040612 [Commending the Northern California Chinese Media Association]
Supervisor Ma
Resolution commending the Northern California Chinese Media Association.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

50. 040613 [Commending James Taylor]
Supervisor Maxwell
Resolution commending James Taylor for his dedication and exemplary service to the community, its schools, and its students.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
51. 040614 [Commending Pastor Victor L. Medearis]
Supervisor Maxwell
Resolution commending Pastor Victor L. Medearis for his dedication and exemplary service to the community.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
52. 040615 [Authorizing lease payment for computer equipment to be used by Budget Analyst]
Supervisor Peskin
Motion authorizing the Clerk of the Board to make three annual lease payments in the amount of \$ 6,973.29, and to make a one-time payment in fiscal year 03-04 for sales tax of \$1,748.93, for the lease of computer equipment to be used by the Budget Analyst; and authorizing the Clerk of the Board to deduct \$ 22,324.60 from payment of the amount owed the Budget Analyst under the contract between the Board of Supervisors and the Budget Analyst.
- 5/11/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

53. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 4, 2004 to May 10, 2004, for reference by President to appropriate committee on May 18, 2004.

- 040620 **[Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]**
Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only.
(Parking and Traffic Department)
(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

- 040621 **[Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]**
Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic.
(Parking and Traffic Department)
(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2806.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040622 [Traffic Code - Adding Section 32.6.33 restricting parking around the INS/Customs Buildings to law enforcement vehicles only]

Ordinance adding Section 32.6.33 to the San Francisco Traffic Code restricting parking around the periphery of the INS/Customs Buildings on parts of Jackson Street, Washington Street and Battery Street to law enforcement vehicles only.

(Parking and Traffic Department)

(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations

where such changes do not establish a higher speed limit or result in more than a negligible increase in the

use of the street; DPT Order No. 2808.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 4, 2004 to May 10, 2004, for reference by President to appropriate committee on May 18, 2004.

040576 [Renew Revolving Loan Funds Agreement with State]

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault.

(District Attorney)

5/6/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040617 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mariposa Street, stopping Mariposa Street at Florida Street, making this intersection an All-Way STOP;

Mariposa Street, stopping Mariposa Street at Hampshire Street, making this intersection an All-Way STOP;

22nd Street, stopping 22nd Street at Alabama Street, making this intersection an All-Way STOP;

Hillway Avenue, stopping Hillway Avenue at Parnassus Avenue, controlling the stem to this T-intersection; and

Broderick Street, stopping Broderick Street at Jefferson Street, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040618 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 9 AM AND 4 PM TO 6 PM, EVERYDAY EXCEPT SUNDAYS - ESTABLISH

Columbus Avenue, northbound and southbound, at Filbert Street.

NO LEFT TURN - ESTABLISH

Idora Avenue, northbound, to westbound Woodside Avenue.

TRANSIT AND TAXIS ONLY ON EVENT DAYS AT CANDLESTICK PARK - ESTABLISH

Giant's Drive, south of Ingerson Avenue (Candlestick Park Bus Loop Roadway)

Ingerson Avenue, between Giant's Drive and Hawes Street.

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH

4th and Channel Streets, from northbound 4th Street (Lot B exit) to westbound Channel Street.

(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040619 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

La Salle Avenue, north side, along the bulb-out across from the entrance to Osceola Lane (65 feet);
La Salle Avenue, north side, along the bulb-out at the entrance to Gloria R. Davis School (108 feet);
La Salle Avenue, south side, along the western bulb-out curb return at the closed-off portion of Osceola Lane (31 feet);
La Salle Avenue, south side, along the western and eastern bulb-out curb returns at Whitfield Lane (40 feet and 34 feet, respectively); and
La Salle Avenue, north side, along the bulb-out contiguous to Ingalls Street (64 feet).

TOW-AWAY, NO STOPPING, 7 AM - 5 PM SCHOOL DAYS - RESCIND**TOW-AWAY, NO STOPPING, 7 AM - 6 PM SCHOOL DAYS - ESTABLISH**

Washington Street, south side, between Stockton and Powell Streets.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH

Monterey Boulevard, north side, at Circular Avenue, from the west end of the driveway of 66 Monterey Boulevard to the east end of the driveway of 76 Monterey Boulevard.

ANGLE PARKING - RESCIND

Point Lobos Avenue, from 17 feet west of the eastern edge of 1090 Point Lobos Avenue to 80 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

14th Avenue, both sides, between Anza Street and Geary Boulevard (400 block); and
Cabrillo Street, both sides, between 14th and 15th Avenues (1300 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 26th and Cesar Chavez Streets (a portion of the 1400 block).

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Avenue, west side, between Ulloa and Vicente Streets (2500 block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Willow Street, south side (odd numbers only), between Buchanan and Laguna Streets (600 block);
and

Note: Signs will not be posted on this block because of the No Parking restrictions, but residents will be able to purchase permits.

1200 and 1300 blocks of Buchanan Street, east side (even numbers only), between Larch Way and Willow Street.

Note: Signs will not be installed on the 1200 block of Buchanan Street until the parking occupancy of 80% is met, but residents will be able to purchase permits.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Stanyan Street, both sides, between Belgrave Avenue and Rivoli Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hickory Street, south side, between Gough and Octavia Streets; and

Lily Street, both sides, between Gough and Octavia Streets.

Note: "No Parking Anytime" signs will not be removed from the north side of Lily Street, but residents will be able to purchase permits).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Carolina and De Haro Streets.

TWO-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH

Chesley Street, east side, between Harrison Street and southern terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH

1126 - 1130 Harrison Street, north side, between 7th and 8th Streets (Signs will not be posted on this street, but residents will be able to purchase permits).

1161 - 1161A Harrison Street and 1163 - 1165 Harrison Street, south side, between 7th and 8th Streets (Signs will not be posted on this street, but residents will be able to purchase permits).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Noe Street, east side, from 17th Street to Market Street;

14th Street, south side, between Buena Vista Terrace and Roosevelt Way; and
Treat Avenue, west side, from the southern limit of the 1602 Treat Avenue curb-cut to the southern terminus of Treat Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Treat Avenue, between the driveways of 1609 and 1615 Treat Avenue (25-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

164 Lucky Street, west side, from 171 feet to 198 feet north of 26th Street (27-foot zone).

NO PARKING ANYTIME - RESCIND

167 Lucky Street, east side, between the north and south property lines.

NO PARKING, 6 PM TO 8 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND

Harrison Street, west side, from 15th Street to 180 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Baker Street, east side, between the driveways of 420 and 430 Baker Street (6-foot zone).

620-624 - 6th Avenue, east side, from 129 feet to 134 feet south of Balboa Street (One space between driveways in front of 624 - 6th Avenue only. The remainder of the curb to be painted red.)

ANGLE (60-DEGREE ANGLE) PARKING - ESTABLISH

Randolph Street, north side, from 72 feet west of Arch Street to 115 feet west of Arch Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Kaplan Lane, east side, from Clementina Street to the northern terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Opposite Frontage of 1351-1355 De Haro Street (within area currently marked unofficially for No Parking).

NO PARKING ANYTIME - ESTABLISH

Panama Street, both sides, west of Niantic Avenue to the terminus.

NO PARKING ANYTIME 9 AM TO 2 PM, EXCEPT SUNDAYS - RESCIND
NO PARKING ANYTIME, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Phelan Avenue, west side, between Flood and Staples Avenues.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Montecito Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Hazelwood Avenue, east side, from Staples Avenue to Judson Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Greenwood Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 7 AM TO 6 PM, EVERYDAY - RESCIND
TWO-HOUR PARKING, 7 AM TO 6 PM, SCHOOL DAYS - ESTABLISH
Colon Avenue, both sides, from Greenwood Avenue to Terminus.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Valdez Avenue, east side, from Monterey Boulevard to Greenwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SATURDAYS AND SUNDAYS - RESCIND
PARKING HOURS, 8 AM TO 4 PM, SUNDAYS AND HOLIDAYS EXCEPTED - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Hazelwood Avenue, east side, from Monterey Boulevard to Staples Avenue.
(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040623 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$646,037 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement with Victim and Witness Assistance Program for the period of July 1, 2004 through June 30, 2005.
(District Attorney)

5/10/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040624 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$82,074 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2004 through June 30, 2005.
(District Attorney)

5/10/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040625

[Adopting the 2004 Update to the Telecommunications Plan]

Resolution adopting the 2004 Update to the Telecommunications Plan, as adopted and forwarded by the San Francisco Telecommunications Commission.
(Telecommunications and Information Services)

5/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040628 [Petitions and Communications]

Petitions and Communications received from May 4, 2004 through May 10, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 18, 2004.

From Redevelopment Agency, submitting notice of intent to adopt a Negative Declaration for the proposed Western Addition A-2 Area Redevelopment Plan Amendment. (1)

From Municipal Transportation Agency, submitting overtime justification report for employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors. (2)

From Port of San Francisco, submitting list of the quantity and nature of any encroachment permits (or similar easement permits) issued for property under the Port's jurisdiction. (Reference No. 20040330-005) Copy: Supervisor Peskin (3)

From Department of Elections, submitting appointments to the Ballot Simplification Committee. Copy: Each Supervisor (4)

From Department of Parking and Traffic, submitting quarterly tow refunds report pursuant to Administrative Code Section 10C.12. (5)

From Department of Elections, submitting calendar for the November 2, 2004 General Municipal Election. Copy: Each Supervisor (6)

From Planning Department, regarding request to draft amendments to Chapter 31 that requires the Planning Commission and Planning Department to complete and certify environmental review on an area plan prior to completing and certifying individual environmental review. (7)

From Fire Department, submitting report of an annual inspection regarding fire and life safety for S.F. Civic Center Courthouse at 400 McAllister Street. (8)

From Fire Department, submitting report of an annual inspection regarding fire and life safety for Ingleside Police Station at 1 Sgt. John V. Young Lane. (9)

From concerned citizens, submitting support for establishing a Library Citizens Advisory Committee. File 020585, Copy: Each Supervisor (10)

From AIA San Francisco, submitting support for the new Chapter 7 of the Environment Code. File 030679, Copy: Each Supervisor (11)

From Telecommunications Commission, submitting the 2004 update to the Telecommunications Plan that was adopted on March 22, 2004. Copy: Each Supervisor (12)

From Office of the Controller, submitting fiscal year 2003-04 Nine-Month Budget Status Report. (13)

From Department of Public Works, submitting notice that appellants' signatures with respect to 833-881 Jamestown Avenue represent owners of more than 20% of the area involved and is therefore sufficient for appeal. File 040485 (14)

From District Attorney, submitting request for waiver of Administrative Code Chapter 12B for Chevron U.S.A. Inc. for fulfilling the gasoline purchase by credit card needs of its Child Abduction Recovery Unit investigators. (15)

From State Water Resources Control Board, submitting notice of proposed Negative Declaration setting forth the findings from the California Ocean Plan's prohibition on discharges into areas of special biological significance. (16)

From State Department of Health Services, submitting allocations for the Child Health and Disability Prevention program for fiscal year 2004-05. (17)

From concerned citizens, submitting opposition to resolution endorsing the California Stem Cell Research and Cures initiative. File 040330, Copy: Each Supervisor (18)

From Department of Public Works, submitting copy of letter sent to constituent regarding posting signs on public property. (19)

From Public Utilities Commission, submitting list of the quantity and nature of any encroachment permits (or similar easement permits) issued for property under the Public Utilities Commission jurisdiction. (Reference No. 20040330-003) Copy: Supervisor Peskin (20)

From concerned citizens, submitting opposition to proposed ordinance relating to approvals for large retail stores in San Francisco. File 031463, Copy: Each Supervisor (21)

From San Francisco Rescue Mission, regarding the hunger strike by Pastor Roger Huang. Copy: Each Supervisor (22)

From concerned citizens, regarding harassment, citation and arrests of individuals at Crissy Field, Ocean Beach and Ft. Funston under the Federal Leash Law. (23)

From Robin Levitt, submitting support for long-term planning for the Central Freeway corridor. File 040413 (24)

From Richard Rypinski, submitting opposition to Conditional Use for Verizon Wireless to install 4 cellular antennas and related equipment at 2599 Lombard Street. File 040428 (25)

From Robert Bell, submitting complaint regarding lack of enforcement on legally mandated installation of chimney caps or spark arrests on all re-roof work as well roof-repair work in San Francisco. (26)

From James Chaffee, submitting article in the San Francisco Chronicle (May 3, 2004) entitled "That elusive bond money" regarding the San Francisco Public Library. Copy: Each Supervisor (27)

From Port of San Francisco, submitting press release regarding hosting eight cruise ships in seven days. (28)

From concerned citizens, submitting opposition to Kelly's Mission Rock (KMR) application to the Entertainment Commission for loud speaker permits to play music from 10 p.m. to 4 a.m. (29)

From Ellen Zhou, submitting twenty-two suggestions to help the budget crisis in the City and County of San Francisco. Copy: Each Supervisor (30)

From Kristina Price, urging the Board to direct the Fire Chief to change the proposed plan to hire 96 single-function Firefighters, and instead hire 96 Paramedic-licensed recruits. (31)

From Department of Consumer Assurance, regarding the budgets affect on the Equal Access to Services Ordinance. (Reference No. 20040427-003) (32)

From Department of Public Works, submitting copies of letters sent to the Department of Public Works opposing the creation of an Underground District on Funston Avenue in the Richmond District. File 031979 (33)

From Redevelopment Agency, submitting notice of a community workshop to learn about (PBIDS) Property and Business Improvement Districts in the Fillmore Jazz Preservation District and Japantown on May 19, 2004 starting at 6:00 p.m., at the West Bay Conference Center at 1290 Fillmore Street. (34)

From Mesha Monge-Irizarry, submitting notice urging the Board to attend a press conference on police accountability, May 14, 2004, from 2 to 4 p.m. at the Green House at 4929 3rd Street. Copy: Each Supervisor (35)

From the California Dream Foundation, urging support of the founding convention on Ending Poverty in California and to serve on the Honorary Committee of this organization. (36)

From Flynn, regarding public hearing on "Ending the Violence" by the San Francisco Youth Commission. Copy: Youth Commission (37)

From Ken Weichert, submitting invitation to the Board to attend the Welcome Home Ceremony for the 223rd Military Intelligence Battalion on May 15, 2004 at the Marines' Memorial Club at 609 Sutter Street. Copy: Each Supervisor (38)

From Planning Department, submitting Final Amended Mitigated Negative Declaration for proposed project at 833 - 881 Jamestown Avenue. (39)

From Planning Department, regarding the Transbay Terminal, Caltrain and Redevelopment EIS/EIR. (40)

From Duane Morris, filing notice of appeal for the Transbay Terminal/Caltrain Downtown Extension Redevelopment Project from action of the Planning Commission. (41)

From Rich Bartlebaugh, submitting opposition to proposed merger between TechTV of San Francisco and G-4 of Los Angeles. Copy: Each Supervisor (42)

From Steefel, Levitt & Weiss, filing notice of appeal for the Transbay Terminal/Caltrain Downtown Extension Redevelopment Project from action of the Planning Commission. (43)

From Budget Analyst, submitting management audits report for the Port of San Francisco. File 040535, Copy: Each Supervisor (44)

From Human Rights Commission, submitting Quarterly Report on departmental performance in implementing Chapter 12D.A of the Administrative Code. (45)

From concerned citizens, submitting support for a City owned Asian Pacific Islander Cultural Center in San Francisco. (46)

From Ollie Deckard, urging the Board to restore full funding for the Department of Aging and Adult Services. (47)

From Recreation and Park Department, submitting the General Obligation Bond Accountability Report for the 5th Bond Sale. (48)

From Law Offices of Joseph Brecher, filing notice of appeal for the Transbay Terminal/Caltrain Downtown Extension Redevelopment Project from action of the Planning Commission. (49)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY 2 1 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 25, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHEL A LIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 20, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Ma, Hall

1. 040484 [Evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$106,788 from the Regents of the University of California San Francisco, Universitywide AIDS Research Program (UCSF,UARP) to evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm and to enter into an agreement for the use of these funds; for the period of February 1, 2004 to July 31, 2005.

(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. **040507** **[Drug court partnership program for non-violent drug offenders]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$425,175 from the California Department of Health Services (CDHS) to provide drug court partnership funds and to enter into an agreement for the use of these funds; for the period of July 1, 2003, to June 30, 2004.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

3. **040301** **[Approval of taxicab color scheme transfers]**
Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme.
(Taxi Commission)

5/18/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **040302** **[Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]**
Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application.
(Taxi Commission)

5/18/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Ammiano

5. **040576** **[Renew Revolving Loan Funds Agreement with State]**
Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault.
(District Attorney)

Question: Shall this Resolution be ADOPTED?

6. 040623 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$646,037 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement with Victim and Witness Assistance Program for the period of July 1, 2004 through June 30, 2005.
(District Attorney)

Question: Shall this Resolution be ADOPTED?

7. 040624 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$82,074 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2004 through June 30, 2005.
(District Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

8. 040393 **[Settlement of Lawsuit - 555 California Street Partners, et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al.
(City Attorney)
- 5/18/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 040357 **[Appointment - Veterans Affairs Commission]**
Resolution appointing Cheryl Denise Cook, term ending January 31, 2008, to the Veterans Affairs Commission.
Cheryl Denise Cook, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Maxwell, Alioto-Pier*
10. 040577 **[Appointment - Power Plant Task Force]**
Resolution appointing Toby Levy, Steven Moss, Dana Lanza (residency requirement waived), and Karen G. Pierce, term ending November 1, 2005 to the Power Plant Task Force.
Karen G. Pierce, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.
Toby Levy, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.
Steven Moss, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.
Dana Lanza (residency requirement waived), new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.
- Question: Shall this Resolution be ADOPTED?**
- Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____*

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

11. 040675 [Adopting findings related to the conditional use appeal on property located at 2599 Lombard Street]
- Motion adopting findings related to the appeal of the Planning Commission's approval of a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon Wireless telecommunications network within an NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938. (Clerk of the Board)
- 5/18/2004, REFERRED to Board of Supervisors.
- Question: Shall this Motion be APPROVED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

12. 031839 [Sidewalk Parking Fine Increase]
- Supervisor Daly**
- Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from \$75.00 to \$100.00 as of July 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule. (Parking and Traffic Department)
- 5/11/2004, CONTINUED. Continued to May 18, 2004
- 5/18/2004, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

13. 031991 [Work Practices for Lead-Based Paint and Fees For Implementation of Work Practices Program Provisions Regarding Interiors]

Supervisors Peskin, Maxwell, Daly

Ordinance amending Section 3407 et seq., Section 110 Table 1-A and Section 110 Table 1-P of the San Francisco Building Code to regulate work that disturbs or removes lead-based paint in the interior of pre-1979 buildings that are in Group E3, R1 or R3 occupancy classification, as well as, the exterior of pre-1979 buildings and all steel structures; establish performance standards for work that disturbs or removes lead-based paint in the interior and exterior of such buildings and steel structure; conform the process for assessing administrative penalties with that for the issuance of an Order of Abatement, to provide a surcharge fee for alteration permits sought for buildings classified as R3 and E3 that were constructed prior to 1979 to implement the lead interior safe work practices provisions of Section 3407 et seq., to provide a surcharge license fee for apartment houses and hotels constructed prior to 1979, other than those operating only as tourist hotels, to implement the lead interior safe work practices provisions of Section 3407 et seq., and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

3/30/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

5/18/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 031992 [Relocation of Persons Affected by Lead Hazards]

Supervisors Peskin, Maxwell, Daly

Ordinance amending Section 596 of the San Francisco Health Code and Sections 37.3, 37.9, 72.1 to 72.3, inclusive, and 72.5 of the San Francisco Administrative Code providing for orders to vacate and notices to pay relocation benefits, providing for a hearing process under Article 11 of the Health Code if a notice to pay relocation benefits is not complied with, disallowing passthroughs to tenants of the costs of lead remediation performed in accordance with Article 11 of the Health Code when lead hazards remedied are a result of deferred maintenance; authorizing landlords to temporarily recover possession of a unit for the purposes of performing lead remediation as required by the Department in accordance with Article 11 of the Health Code but only for the minimum time required to perform the remediation; increasing relocation payments required under Chapter 72 and indexing those relocation payments to the Consumer Price Index as of July 1, 2004; and providing an alternative to making relocation payments if a comparable dwelling unit is made available.

5/18/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 040362 [To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda), and related consultant and administrative costs for the Municipal Transportation Agency]
Mayor
Ordinance appropriating \$12,274,340 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.
(Fiscal impact.)

5/11/2004, CONTINUED. Continued to May 18, 2004

5/18/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

16. 040146 [Determination of Fiscal Feasibility of Proposed Project]
Supervisors Peskin, Ma
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

5/18/2004, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
5/18/2004, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be **FINALLY PASSED**?

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Hall

17. 040522 [SFSU Gerontology Program]
Supervisors Dufty, Hall, Sandoval, Ma
Resolution urging San Francisco State University to continue its Gerontology Program.

4/27/2004, REFERRED to City Services Committee. Supervisor Dufty requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

18. 040594 [Board approval for contracting out personal services]
Supervisors Maxwell, Ammiano, Peskin, Daly
Ordinance amending the San Francisco Administrative Code, by adding Sections 2.15, 2.16, and 2.17 to require a supplemental report from departments seeking Board approval to contract out personal services under Charter Section 10.104(15), to require the Controller to prepare an annual report on such contracts, and to set deadlines for departmental submission of requests to the Controller and the Board of Supervisors for certification to enter into such contracts.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 040440 [Airport Concession Lease]
Mayor
Resolution approving the Terminal 3 Concourse Newsstand Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Question: Shall this Resolution be ADOPTED?

20. 040441 [Airport Concession Lease]
Mayor
Resolution approving the International Terminal Building Newsstands Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Question: Shall this Resolution be ADOPTED?

21. 040531 **[Local Vehicle License Fee Restoration]**
Mayor, Supervisors Peskin, Dufty, Ammiano
Resolution urging the California State Legislature to pass legislation to allow local governments to obtain voter approval to restore the Vehicle License Fee.
- 5/11/2004, REFERRED to Finance and Audits Committee. Supervisor Hall requested that this matter be referred to Committee
- Question: Shall this Resolution be ADOPTED?
22. 040569 **[Outreach Advertising]**
Resolution designating El Latino and El Reportero to be the outreach newspapers of the City and County of San Francisco for the Hispanic community; Asian Week, Chinese Times, China Press, Sing Tao Daily, and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; the San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; and the Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Gay, Lesbian, Bisexual and Transgender community, to provide outreach advertising services for the fiscal year commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)
- Question: Shall this Resolution be ADOPTED?
23. 040570 **[Contracting Out Janitorial Services, Department of Parking and Traffic, FY 03-04]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2003-2004.
(Parking and Traffic Department)
- Question: Shall this Resolution be ADOPTED?
24. 040575 **[IHSS Contract Approval - IHSS Consortium of San Francisco]**
Resolution approving exercise of the option to renew the contract between the City and County of San Francisco, through the Department of Human Services, and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2004 to June 30, 2005, in the amount of \$16,085,136.
(Human Services Department)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

25. 040442 **[Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell
Ordinance designating 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 040450 **[Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell
Ordinance designating 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

27. 040532 [Establishing a Police Department Citizens Advisory Committee]

Supervisor Maxwell

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

28. 040541 [Commendation - Kamala Harris]

Supervisors Daly, Gonzalez, Ammiano, Maxwell

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm*

29. 040566 [Public Hearing - Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works by its letter dated April 14, 2004, approving Minor Sidewalk Encroachment Permit No. 04MSE-042 to legalize the construction of a new warped driveway and planter box extending 19-inches into the public right-of-way to provide for a new garage at 32 Rivoli Street. (Appellant: Carol Opatow.) (Filed 4/26/04; companion measure to Files 040566, 040567; 040568; District 5.)

Action: _____

(Only one of the following two motions should be adopted.)

30. 040567 [Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 32 Rivoli Street and denying the appeal.
(Clerk of the Board)
31. 040568 [Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 32 Rivoli Street and denying the Encroachment Permit
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

32. 040524 [Public Hearing - Appeal, Final Amended Mitigated Negative Declaration for 833-881 Jamestown Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 25, 2004, approving a final amended mitigated negative declaration for the proposed condominium project located at 833-881 Jamestown Avenue, on Assessor's Block 4991, Lot 277. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.) (Filed April 26, 2004; companion measure to Files 040525, 040526, 040527; District 10.)

5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

33. 040525 **[Affirming adoption of the negative declaration for 833-881 Jamestown Avenue]**
Motion affirming Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)
- 5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.
Question: Shall this Motion be APPROVED?
34. 040526 **[Reversing adoption of the negative declaration for 833-881 Jamestown Avenue]**
Motion reversing the Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)
- 5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.
Question: Shall this Motion be APPROVED?
35. 040527 **[Preparation of findings to reverse adoption of the negative declaration for 833-881 Jamestown Avenue]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 833-881 Jamestown Avenue.
(Clerk of the Board)
- 5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.**36. 040485 [Public Hearing - Appeal, Conditional Use - 833-881 Jamestown Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16755 dated March 25, 2004 authorizing a conditional use authorization, Case No. 1999.0233C, under Planning Code Sections 209.1(g) and 304 for a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at 833-881 Jamestown Avenue, west of Candlestick Park at the northern base of Bayview Hill; Lot 277 in the Assessor's Block 4991. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.) (Filed April 26, 2004; companion measure to Files 040486, 040487, 040488; District 10.)

5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**37. 040486 [Appeal, Conditional Use - 833-881 Jamestown Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.

Question: Shall this Motion be APPROVED?

38. 040487 [Appeal, Conditional Use - 833-881 Jamestown Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue.
(Clerk of the Board)

5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.

Question: Shall this Motion be APPROVED?

39. 040488 [Findings - 833-881 Jamestown Avenue]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, for action by the Board at its next meeting.
(Clerk of the Board)
- 5/18/2004, CONTINUED. Continued to May 25, 2004 at 4:30 p.m.
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Finance and Audits Committee at a recessed meeting on Tuesday, May 25, 2004 at 9:45 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

40. 040343 [Taxi Legislation]
Supervisors Daly, Ma
Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders and to authorize modification of that cumulative hours test to accommodate disabled permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

41. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

42. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 50

43. 040668 [Commodity Supplemental Food Program]
Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell
Resolution urging the Mayor, the California Department of Education and the United States Department of Agriculture to allocate funding to allow the Commodity Supplemental Food Program to remain in San Francisco.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 040669 [Supporting AB 2857]
Supervisor Ma
Resolution supporting California Assembly Bill 2857 (AB 2857), which would amend California Revenue and Taxation Code Section 1604 in view of a recent Court of Appeal decision by providing that where a county board of equalization ("CBOE;" in some counties, a/k/a the assessment appeals board or "AAB") does not timely decide taxpayer's application for a one-year reduction of assessed value of real property (based on a decline in value, usually attributed to market downturn) or personal property on the local property tax rolls, the taxpayer's opinion of value will be entered on the roll as the basis for calculating property taxes only for the one tax year covered by the application and not for multiple subsequent tax years.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 040670 [Contract Approval - SFGH Services Building seismic upgrade and repair sole source consulting engineer services agreement exceeding ten years]
Supervisor Ammiano
Resolution approving the award of a contract by the City and County of San Francisco, through its Department of Public Works, to Forrell-Elsesser Engineers, Inc. for consulting engineer services for the San Francisco General Hospital Services Building Seismic Upgrade.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

46. 040671 [Condemning the federal raid in the immigrant community]
Supervisor Ammiano
Resolution urging the Federal Bureau of Investigations and the Immigrations and Customs Enforcement to send a well-publicized message to the immigrant community in San Francisco that INS raids will not be pursued in immigrant communities.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 040672 [Urging the relocation of Peter Voulkos' bronze sculpture currently sited at the Hall of Justice]
Supervisor Gonzalez
Resolution urging the relocation of Peter Voulkos' sculpture currently sited at the Hall of Justice due to its inaccessibility, poor siting, lack of public viewing and neglect as a major work of art in San Francisco.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 040673 [Recognizing May 2004 as Foster Care Month]
Supervisors Maxwell, Dufty
Resolution recognizing May 2004 as Foster Care Month.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 040674 [Commending Ralph D. House]
Supervisor Maxwell
Resolution commending Ralph D. House for his dedication and exemplary service to the community
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 040640 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 5/18/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 11, 2004 through May 17, 2004, for reference by President to appropriate committee on May 25, 2004.

040632 [Settlement of Lawsuit - Michael Stamper]

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al.
(City Attorney)

5/17/2004. RECEIVED AND ASSIGNED to Rules Committee.

040633 [General Plan Amendment in connection with 55 Ninth Street]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendments is consistent with the eight Priority Policies of Planning Code Section 101.1.
(Planning Department)

5/18/2004. ASSIGNED UNDER 30 DAY RULE to Land Use Committee. expires on 6/17/2004.

040634 [Settlement of Lawsuit]

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al.
(City Attorney)

5/17/2004, RECEIVED AND ASSIGNED to Rules Committee.

040661 [Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]

Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning code Section 101.1 and the General Plan.
(Planning Department)

5/18/2004, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/17/2004.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 11, 2004 through May 17, 2004, for reference by President to appropriate committee on May 25, 2004.

040635 [Increase patient access to care by removing physical, linguistic and other barriers to care]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$426,085 from the San Francisco Health Plan Access Enhancement Fund (SFHPAEF) to increase patient access to health care services and to enter into an agreement, which includes an indemnification clause, for the use of these funds; for the period of January 1, 2004, to June 30, 2006... Version

(Public Health Department)

5/11/2004, RECEIVED AND ASSIGNED to City Services Committee.

040636 [Amendment to Lease of Real Property]

Resolution authorizing the amendment to lease of real property located at 598 Portola, San Francisco, California with Twin Peaks Petroleum, Inc., a California corporation doing business as Twin Peaks Auto Care (Tenant) successor in interest to Michael Gharib.
(Real Estate Department)

5/17/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040637 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$534,401 of Carl Moyer grant funds for the Municipal Railway Bus Catalyst Device Procurement, excluding administrative overhead costs.
(Municipal Transportation Agency)

5/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040638 [Emergency Interim Agreement for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]

Resolution approving the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn, and a Transition Agreement between the City, San Francisco AutoReturn, and City Tow.
(Parking and Traffic Department)

5/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040676 [Petitions and Communications]

Petitions and Communications received from May 11, 2004 through May 17, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 25, 2004.

From concerned citizens, submitting opposition to the proposed closing of the Sunset Center. (1)

From Department of Public Health, submitting request for waiver of Administrative Code Chapters 12B and 12C for Lake Shore Learning Materials and Toys-R-Us to continue the acquisition of children's toys that are used as therapeutic aids for outpatient mental health clinics and rehabilitation programs of the Community Health Network. (2)

From concerned citizens, submitting opposition to proposed legislation that imposes a Conditional Use requirement for large-scale retail in excess of 50,000 gross square feet outside of the C-3 zoning districts and in excess of 90,000 gross square feet within the C-3 zones. File 031463 (3)

From Office of the Treasurer, submitting correspondence that shows the investment activity (for fiscal year to date) of the portfolios under management. (4)

From the Police Commission, submitting list of resolutions passed at the May 5, 2004 Police Commission meeting. (5)

From State Office of Homeland Security, submitting notice of grant application and Phase II funding for \$18,152,312 for grant performance period from July 1, 2003 through June 30, 2005. (6)

From Department of Public Health, submitting request for waiver of Administrative Code Chapters 12B and 12C for Safeway and Cala Foods for continued purchase of food and food vouchers for the Department's Incentives and Enabler Programs at Tuberculosis Control, the Sexually Transmitted Disease Prevention unit and the HIV/AIDS service unit, and the day treatment client food programs at the Mental Health clinics. (7)

From Office of the Controller, submitting report entitled City Survey 2004: San Francisco Residents Rate City Services. Copy: Each Supervisor (8)

From Office of the Controller, submitting report of the Economic Opportunity Council of San Francisco's (EOC) governance and administration of the Commodity Supplemental Food Program. Copy: Supervisors Gonzalez, Daly, Ma, Dufty (9)

From Department of Public Works, submitting notice that appellants' signature with respect to 833-881 Jamestown Avenue represent owners of more than 20% of the area involved and are therefore sufficient for appeal. File 040485 (10)

From S. F. Architectural Heritage, submitting support for the historic landmark designation of the New Mission Theater located at 2550 Mission Street. File 040443 (11)

From Planning Department, submitting notice of environmental review for proposed legislation that defines adult entertainment use and location restrictions. File 040324 (12)

From Office of the City Attorney, submitting monthly report of total number of hours of service provided from March 1 to March 31, 2004. (13)

From Fire Department, submitting report of annual inspection relating to fire and life safety for the Taraval Police Station at 2345 - 24th Avenue. (14)

From Teamsters Union Local 856, urging the Board to support keeping the City's Employee

Assistance Program (EAP) staff to the current minimum of three full-time employees, reversing the Department of Public Health's attempt to reduce the necessary services that the EAP provides to City employees. (15)

From S.F. International Airport, submitting notice that Newsweek Budget Travel, a regular on-line feature of MSNBC has named San Francisco International Airport the best airport in the United States for business travelers. (16)

From James Chaffee, regarding the resignation of the City Librarian Susan Hildreth. (17)

From UCSF, submitting copy of letter sent to Director of Animal Care and Control, commending Officer Richardson on her competent and caring ways with animals of pet owners who are hospitalized unexpectedly. (18)

From William Schmid, inquiring if the Board of Supervisors have taken a voluntary pay cut to decrease the budget deficit. Copy: Each Supervisor (19)

From concerned citizens, regarding harassment, citation and arrests of individuals at Crissy Field, Ocean Beach and Ft. Funston under the Federal Leash Law. (20)

From Mary Zemanek, submitting opposition to Conditional Use for Verizon Wireless installing 4 cellular antennas and related equipment at 2599 Lombard Street. File 040428 (21)

From Mayor's Memorial Day Citizen's Committee, submitting notice of the 136th San Francisco Memorial Day Ceremony at the Presidio's San Francisco National Cemetery on May 31, 2004, starting at 11:00 a.m. Copy: Each Supervisor (22)

From Comcast Cable Communications Inc., submitting notice that effective June 1, 2004 Comcast will relocate the Jade Basic Channel on the standard service level from its current location on Channel 71 to Channel 68. (23)

From Planning Department, regarding appeal of Planning Commission decision regarding 833-881 Jamestown Avenue. File 040485 (24)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUN - 4 2004

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 8, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick, Peskin, Gonzalez

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 27, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

1. 040394 [Liquor License Transfer, Bay and Mason Streets, San Francisco]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from Trader Joe's Market located at 555 Ninth Street, Suite 2, to its new Trader Joe's Store located in the southeast corner of Bay and Mason Streets, San Francisco, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Ma, Hall

**2. 040412 [Accept-Expend State Grant]
Supervisors Dufty, Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety for a project entitled OTS - "Avoid the 2".

Question: Shall this Resolution be ADOPTED?

3. 040388 [Liquor License Transfer, 543 Divisadero Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 700 Geary Street to 543 Divisadero Street (District 5), to Ms. Tesfazgi and Mr. Beshue dba Club Waziema, in exchange for its current Type 42 beer and wine license at the same premises, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Ma

4. 040429 [Liquor License Transfer, 510 Brannan Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1028 Geary Street to 510 Brannan Street (District 6) to Mark Landregan for M & M Assets, Inc. dba The Gallery Lounge on Brannan, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

**5. 040635 [Increase patient access to care by removing physical, linguistic and other barriers to care]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a grant in the amount of \$426,085 from the San Francisco Health Plan Access Enhancement Fund (SFHPAEF) to increase patient access to health care services and to enter into an agreement, which includes an indemnification clause, for the use of these funds; for the period of January 1, 2004, to June 30, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

6. 040594 [Board approval for contracting out personal services]

Supervisors Maxwell, Ammiano, Peskin, Daly

Ordinance amending the San Francisco Administrative Code, by adding Sections 2.15, 2.16, and 2.17 to require a supplemental report from departments seeking Board approval to contract out personal services under Charter Section 10.104(15), to require the Controller to prepare an annual report on such contracts, and to set deadlines for departmental submission of requests to the Controller and the Board of Supervisors for certification to enter into such contracts.

5/25/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

7. 040442 [Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]

Supervisors Peskin, McGoldrick, Maxwell, Ma, Gonzalez

Ordinance designating 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

5/25/2004, PASSED ON FIRST READING. Supervisors Ma and Gonzalez requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040450 [Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]

Supervisors Peskin, McGoldrick, Maxwell, Gonzalez

Ordinance designating 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

5/25/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

9. 040434 [Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]
Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for \$27,904.60; Claim No. 04-01488 was filed on November 25, 2003.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 040494 [Settlement of Lawsuit - Novoa-Huf, et al.]
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 040572 [Settlement of Lawsuit - Doug Barkus]
Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Alioto-Pier

12. 040627 [Appointment-Immigrant Rights Commission]
Resolution appointing Phu Nguyen, term ending June 6, 2005, to the Immigrant Rights Commission. Phu Nguyen, succeeding himself, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco; for the unexpired portion of a two-year term ending June 6, 2005.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma

13. 040552 **[Urging the Transfer and Relocation of the Elephants at the San Francisco Zoo]
Supervisors Ma, Dufty**
Resolution urging the San Francisco Zoological Society to transfer ownership of and relocate elephants Lulu and Tinkerbelle to a credible sanctuary and to make the move in compliance with applicable state and federal regulations, and to immediately bring into the zoo representatives of the sanctuary to begin the transfer process.
- 5/11/2004, AMENDED.
5/11/2004, REFERRED to City Services Committee. Supervisor Hall requested that this matter be referred to Committee as amended.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

14. 040493 **[Real Property Transfer Tax]
Supervisors Dufty, Ammiano, Daly**
Ordinance amending Article 12-C of the San Francisco Business and Tax Regulations Code (Real Property Transfer Tax Ordinance) to conform and clarify exemptions for transfers of real property between spouses and domestic partners, and to divide assets upon dissolution of marriage or domestic partnership.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 040598 [Neighborhood Historic Resources Preservation Bonds]**Supervisors Peskin, McGoldrick, Ammiano, Sandoval**

Resolution determining and declaring that the public interest and necessity demand improvements in the City and County of San Francisco consisting of financing the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County of San Francisco and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes, that the estimated cost for the improvements described above is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness of \$60,000,000; finding that the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and the General Plan consistency requirement of Administrative Code Section 2A.53.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

16. 040616 [Public Hearing - Appeal, FEIR for the proposed Transbay Terminal/Extension of Caltrain/Redevelopment Project at 425 Mission Street]
Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Case No. 2000.048E, dated April 22, 2004, for the proposed Transbay Terminal/Extension of Caltrain/ Redevelopment Plan generally bounded by Mission, Main, Spear, Folsom, Essex, I-80, Second and Minna Streets; and the track alignment is under Townsend and Second Streets located at 425 Mission Street. (Appellants: Timothy A.Tosta on behalf of Myers Natoma Venture, LLC and Myers Development Company; Oliver L. Holmes; and Joseph J. Brecher representing 14 appellants).
(Dates Filed: 5/10/04 and 5/12/04; companion measure to Files 040629, 040630, 040631.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

17. 040629 [Affirming certification of the final environmental impact report for the Transbay Terminal]
Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 040630 [Reversing certification of the final environmental impact report for the Transbay Terminal]
Motion reversing the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

19. 040631 [Preparation of findings for the final environmental impact report for the Transbay Terminal]
Motion directing the Clerk of the Board to prepare findings concerning the Board of Supervisors' action on the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

20. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

21. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

22. 040721 [Payment of Attorneys Fees]

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From Rules Committee with Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

23. 040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007.
(City Attorney)

Supervisor Maxwell dissented in Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

24. 040711 [Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation.
(City Attorney)

Action: _____

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 34

25. 040679 [Committee of the Whole - Health service reductions (Bielenson Hearing)]
Supervisor Sandoval
Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 15, 2004 at 3:00 p.m.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
26. 040691 [Commending Public Utilities Commission General Manager Patricia E. Martel]
Supervisor Dufty
Resolution commending Public Utilities Commission General Manager Ms. Patricia E. Martel.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 040692 [Commending City Librarian Susan Hildreth]
Supervisor Dufty
Resolution commending City Librarian Susan Hildreth upon her departure from San Francisco to be the Director of the Tucson-Pima Public Library in Tucson, Arizona.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 040693 [Gift-in-Place to the Recreation and Park Department]
Supervisor Ma
Resolution accepting and expending a gift-in-place, valued at up to \$12,000,000, from the Stern Grove Festival Association to the Recreation and Park Department to fund construction for the renovation of Concert Meadow facilities in Sigmund Stern Grove and Pine Lake Park.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

29. **040694** **[Commending Reclaim the Commons Mobilization]**
Supervisor Ammiano
Resolution commending Reclaim the Commons Mobilization for their concern for the health, safety, and well-being of the public and the environment, upholding San Francisco resolution no. 012-00-COE and the Precautionary Principle ordinance of 2003.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. **040695** **[Opposing State Budget cuts to Child Care, Temporary Assistance to Needy Families, and In Home Support Services]**
Supervisor Daly
Resolution urging the State Legislature to oppose Governor Schwarzenegger's proposed budget cuts to Child Care, Temporary Assistance to Needy Families (TANF), and In Home Support Services (IHSS), urging the San Francisco's state legislative delegation to lead the way in finding additional resources, and urging Mayor Gavin Newsom to mitigate impending cuts.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. **040768** **[Commending Human Resources Director Andrea Gourdine]**
Supervisor Dufty
Resolution commending Human Resources Director Andrea Gourdine upon the occasion of her retirement.
- 6/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. **040769** **[Waiving deadlines pursuant to Section 2.34 of the Administrative Code - Housing Bond Resolution of Public Interest and Necessity]**
Supervisor Gonzalez
Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code, allowing the Housing Bond Resolution of Public Interest and Necessity (Board File No. 040658) to be adopted less than 141 days before the November 2, 2004 Election.
- 6/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. **040662** **[Final Map for a 12 Unit Residential Condominium Project]**
Motion approving Final Map of 348 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 334, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 174,809; District 6.)
- 5/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

29. 040694 **[Commending Reclaim the Commons Mobilization]**
Supervisor Ammiano
Resolution commending Reclaim the Commons Mobilization for their concern for the health, safety, and well-being of the public and the environment, upholding San Francisco resolution no. 012-00-COE and the Precautionary Principle ordinance of 2003.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
30. 040695 **[Opposing State Budget cuts to Child Care, Temporary Assistance to Needy Families, and In Home Support Services]**
Supervisor Daly
Resolution urging the State Legislature to oppose Governor Schwarzenegger's proposed budget cuts to Child Care, Temporary Assistance to Needy Families (TANF), and In Home Support Services (IHSS), urging the San Francisco's state legislative delegation to lead the way in finding additional resources, and urging Mayor Gavin Newsom to mitigate impending cuts.
- 5/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
31. 040768 **[Commending Human Resources Director Andrea Gourdine]**
Supervisor Dufty
Resolution commending Human Resources Director Andrea Gourdine upon the occasion of her retirement.
- 6/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
32. 040769 **[Waiving deadlines pursuant to Section 2.34 of the Administrative Code]**
Supervisor Gonzalez
Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code.
- 6/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
33. 040662 **[Final Map for a 12 Unit Residential Condominium Project]**
Motion approving Final Map of 348 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 334, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 174,809; District 6.)
- 5/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

34. 040678 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

5/25/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 18, 2004 through May 28, 2004, for reference by President to appropriate committee on June 8, 2004.

040664 [Settlement of Lawsuit - Joyce Vanman]

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco.
(City Attorney)

5/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

040665 [Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses.
(City Attorney)

5/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

040697 [Settlement of Lawsuit - Caleb Mather]

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al.
(City Attorney)

5/20/2004, RECEIVED AND ASSIGNED to Rules Committee.

040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al.
(City Attorney)

5/28/2004, RECEIVED AND ASSIGNED to Rules Committee.

040723 [Interim Government Funding, Fiscal Year 2004-05]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040724 [Interim Public Employment, Fiscal Year 2004-2005]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040725 [Government Funding for Fiscal Year 2004-2005]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040726 [Public Employment, Fiscal Year 2004-2005]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040729 [Waiver of storage fees for stolen vehicles owned by residents]

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040730 [Establishing Arts Commission Civic Design Review Fees]

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040731 [Conduct a Nexus Study On Imposition of the Park Fee on Uses Other Than Office On Geographic Areas of the City Other than C-3 Use Districts]

Ordinance amending Planning Code Section 139 to provide that \$100,000 of Downtown Special Park Fund monies shall be used to fund a nexus study, under the direction of the General Manager of the Recreation and Park Department, to examine whether the Downtown Park Fee should be imposed on uses other than office and on geographic areas of the City other than C-3 use districts and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040732 [Chlorofluorocarbon Recovery and Recycling Fees]

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040733 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040734 [Medical Waste Generator Registration, Permitting, Inspections Fees]

Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040735 [Risk Management Program Fees]

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040736 [Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]

Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from \$250 to \$500.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040737 [Creating Working Families Credit Program and Fund]

Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

- 040738 **[Amending the San Francisco Fire Code to Increase Fees for Service]**
Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.
- 040739 **[Revising Annual Fire Department Permit Fees]**
Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at \$240 per year, to become operative on January 1, 2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.
- 040740 **[Minimum Compensation and Health Care Accountability Ordinances]**
Ordinance amending the San Francisco Administrative Code by amending Sections 12P.5, 12Q.4, and 12Q.5 to give contracting departments the authority to conduct audits of contractors with respect to the Minimum Compensation Ordinance and the Health Care Accountability Ordinance.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 040741 **[Eligibility of boards and commissions for health benefits]**
Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 040742 **[Creating fee for investigating the sealing of Juvenile Court records and sealing of Juvenile Court records]**
Ordinance adding Section 8.36-2 to the San Francisco Administrative Code to create fee for investigating the sealing of juvenile court records and for the sealing of such records, and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.
- 040743 **[Setting parking fees for City parking facilities]**
Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set parking fees for City parking facilities, and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040744 [Interdepartmental jurisdictional transfer of surplus property]

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040745 [Reducing the maximum Annual Residential Rent Ordinance Fee from \$27 to \$26 per unit, and eliminating the 2002 two-year sunset provision]

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Section 37A.2 to reduce the maximum Annual Residential Rent Ordinance Fee from \$27 per unit to \$26 per unit, and to eliminate the two-year sunset provision enacted in 2002 so that an owner may continue to recover up to \$21.50 per unit from tenants; and, making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040746 [Economic and Workforce Development Department]

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040747 [Hazardous Materials Fees]

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040748 [Patient Rates]

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040749 [Mayor's Fund for the Homeless]

Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Human Services.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040751 [Transactions and Use Tax]

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040752 [Dissolving the Telecommunications Commission]

Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040753 [Transferring administration of Publicity and Advertising Funds to the Arts Commission]

Ordinance amending San Francisco Business & Tax Regulations Code sections 515.01(6) and (7) and amending San Francisco Administrative Code section 2A.150 to transfer administration of publicity and advertising funds for cultural and promotional organizations, parades, celebrations and street fairs to the Arts Commission.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040754 [Office of the City Administrator]

Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040755 [Department of Convention Facilities]

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 040756** [Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]
Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 040757** [Increasing the Emergency Response Fee imposed on telephone subscribers]
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings. (Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

- 040758** [Business Tax]
Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance. (Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

- 040759** [Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]
Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 2A.221 and 91.2, and amending the San Francisco Police Code by amending sections 4903, 4904, 4905, 4908 and 4910 to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner and Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance. (Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040760 [Department of the Medical Examiner]

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040761 [Neighborhood beautification]

Ordinance amending the San Francisco Administrative Code by deleting section 10.100-114 to remove duplicative language.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040762 [Salary and Wage Deductions]

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040763 [Requiring City departments to offer members of the public the opportunity to request notices by electronic mail]

Ordinance amending the Administrative Code by adding a new Section 1.57 to require City departments to offer members of the public the opportunity to request notices by electronic mail.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040764 [Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]

Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040766 [Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]

Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 040767** [Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers.

(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 18, 2004 through May 28, 2004, for reference by President to appropriate committee on June 8, 2004.

- 040663** [Contracting out Parking Meter Management System]

Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees.

(Parking and Traffic Department)

5/24/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 040699** [Design-Build Agreement for a Solar Power Plant at Southeast Water Pollution Control Plant]

Resolution authorizing the San Francisco Public Utilities Commission's General Manager to sign a Design-Build Agreement (DBA) for \$1.8 million between the San Francisco Public Utilities Commission and Sierra Electric, for the turnkey design and construction of a solar power plant at the San Francisco Public Utilities Commission's Southeast Water Pollution Control Plant (SEWPCP). (Public Utilities Commission)

5/28/2004, RECEIVED AND ASSIGNED to City Services Committee.

- 040708** [Contracting our Services - Interim Emergency Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles]

Resolution concurring with Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles than to provide the same services with City and County Employees.

(Parking and Traffic Department)

5/28/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 040710** [Contracting Out City Services]

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees.

(District Attorney)

5/25/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040727 [Redevelopment Agency Budget, Fiscal Year 2004-2005]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040728 [Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040765 [Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]

Resolution making environmental findings and approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a).
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040727 [Redevelopment Agency Budget, Fiscal Year 2004-2005]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040728 [Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005.
(Mayor)

6/1/2004, RECEIVED AND ASSIGNED to Budget Committee.

040773 [Petitions and Communications]

Petitions and Communications received from May 18, 2004 through May 28, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 8, 2004.

From Robert Damron, submitting several suggestions on transportation alternatives in San Francisco. (1)

From Civil Service Commission, submitting response to newspaper article in the May 19, 2004 S.F. Chronicle regarding the Board of Supervisors salaries. (2)

From Department of Elections, regarding the cost and options for using Direct Recording Electronic voting machines in San Francisco. Copy: Supervisor Alioto-Pier (3)

From Office of the Controller, submitting high level financial reports for April 2004. (4)

From Department of Public Health, responding to questions about primary care staffing budget cuts. (Reference No. 20040330-001) Copy: Supervisor Ammiano (5)

From Office of the Controller, submitting report regarding the Economic Opportunity Council's governance and administration of the Commodity Supplemental Food Program. (6)

From AC Transit, submitting support for the Planning Commission's certification of the FEIS/FEIR for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. File 040619, Copy: Supervisor Gonzalez (7)

From S.F. War Memorial and Performing Arts Center, submitting revised list of all sole source contracts entered into during fiscal year 2003-04. (8)

From Redevelopment Agency, submitting authorization for the Navy Conveyance Agreement for Hunters Point Shipyard. Copy: Each Supervisor (9)

From Office of the Controller, submitting report on the review of the Recreation and Park Department's Aquatics Program. (10)

From Department of Parking and Traffic, responding to request for a three-way stop sign at Olmstead Street at University Street. (Reference No. 20040413-002) Copy: Supervisor Maxwell (11)

From Carol Opatow, submitting opposition to the Department of Public Work's issuance of a Minor Sidewalk Encroachment permit at 32 Rivoli Street. File 040566 (12)

From Toni Jung, urging the Board of Supervisors not to eliminate the only Spanish speaking social worker (classification 2922) in the Mission District site office of the Child/Family Therapy Center. (13)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety was conducted at Northern Police Station at 1125 Fillmore Street. (14)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety was conducted at S.F. Youth Guidance Center Juvenile Hall at 375 Woodside Avenue. (15)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety was conducted at Park Police Station at 550 Kezar Drive. (16)

From San Francisco Tomorrow, urging the Board to initiate proceedings to acquire the property known as 80 Natoma Street. File 040616 (17)

From San Francisco Tomorrow, urging the Board to uphold the certification of the EIS/EIR for Transbay Terminal, Caltrain Downtown Extension and Transbay Redevelopment Area. File 04616 (18)

From Mayor's Office of Community Development, submitting request for release of reserved CDBG grant funds in the amount of \$120,400 for MOCD/MOH Administration expenditures and \$250,000 in reserved CDBG Capital Pool Funds for the African American Cultural Center. File 040448 (19)

From Immigrant Rights Commission, submitting copy of letter sent to the Juvenile Probation Department requesting they forward their annual compliance plan for review and approval as soon as possible. Copy: Each Supervisor (20)

From Immigrant Rights Commission, submitting copy of letter sent to the Department of Public Transportation requesting they forward their annual compliance plan for review and approval as soon as possible. Copy: Each Supervisor (21)

From Immigrant Rights Commission, submitting copy of letter sent to the District Attorney's Office requesting they forward their annual compliance plan for review and approval as soon as possible. Copy: Each Supervisor (22)

From Elections Commission, requesting the National Television Academy of Television Arts and Sciences to submit an appointment to the Ballot Simplification Committee. (23)

From Elections Commission, requesting the League of Women Voters of San Francisco submit an appointment to the Ballot Simplification Committee. (24)

From Department of Parking and Traffic, responding to request to install a stop sign at Olmstead Street at University Street. (Reference No. 20040413-002) Copy: Supervisor Maxwell (25)

From Planning Department, submitting comments regarding the General Plan findings regarding proposed legislation to reduce the Floor Area Ratio in C-M Zoning Districts from 9 to 1 to 3 to 1. File 040144 (26)

From Office of the District Attorney, submitting the annual update report of the Equal Access to Services ordinance. (Reference No. 20040427-009) Copy: Supervisors Dufty, Ma (27)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Department of Human Services. (28)

From Public Utilities Commission, submitting request for waiver of Chapter 12B of the Administrative Code for Chemco Systems, for commodity equipment. (29)

From Department of Administrative Services, submitting the results of an investigation of Tartan Textile, now known as Angelica Textile being in compliance with the Minimum Compensation Ordinance, Health Care Accountability Ordinance and Minimum Wage Ordinance. (Reference No. 20040518-005) Copy: Supervisor Dufty (30)

From Residential Rent Stabilization and Arbitration Board, submitting the annual update report of the Equal Access to Services ordinance. (Reference No. 20040427-016) Copy: Supervisors Ma, Dufty (31)

From Police Department, submitting the annual update report of the Equal Access to Services ordinance. (Reference No. 20040427-013) Copy: Supervisors Ma, Dufty (32)

From Public Utilities Commission, submitting an estimate of how much it cost to operate the Vaillancourt Fountain. (33)

From Deborah Wald, requesting that no further trees be removed from the area behind the Dellbrook Avenue homes (Laguna Honda Hospital) until the homeowners meet with both Hospital and City officials to discuss the reason for the devastation of the landscape that has taken place and to look for alternatives. (34)

From David Tornheim, submitting support for proposed legislation regarding the new Transit Development Fee. File 040141 (35)

From Martin Lyon, submitting copy of 3 letters sent to the Department of Parking and Traffic suggesting several traffic improvements in San Francisco. (36)

From Margaret Sand, urging the Board to draft legislation that will attract jobs and businesses to San Francisco. File 031463 (37)

From Martin Lyon, submitting copy of letter sent to the Recreation and Parks Department regarding the Kennedy-Kezar Street intersection in Golden Gate Park. (38)

From Paul Heim, submitting opposition to proposed closure of the Central City Older Adults Clinic and the Southeast Mission Geriatrics Clinic. (39)

From concerned citizens, submitting opposition to proposed sale of the Oak Street Firehouse. Copy Each Supervisor (40)

From David Blumberg, submitting support for the proposed sale of the Oak Street Firehouse. (41)

From State Water Resources Control Board, submitting notice of public hearing on July 7, 2004, to receive comments on the proposed exception to the California Ocean Plan. (42)

From Office of the Treasurer & Tax Collector, submitting the Tax Collector's annual report of tax credits for calendar year 2003. (43)

From Department of Public Health, regarding compensation for the Technologists (also known as Diagnostic Imaging Technologists) employed by the City and County of San Francisco. (Reference No. 20040511-001) Copy: Supervisor Peskin (44)

From Department of Elections, submitting the annual update report of the Equal Access to Services ordinance. (Reference No. 20040427-004) Copy: Supervisors Ma, Dufty (45)

From Office of the District Attorney, submitting information on several areas related to the Aggressive Solicitation Ban, a proposition approved by the voters on November 4, 2003. (Reference No. 20040427-001) Copy: Supervisor Gonzalez (46)

From Comcast Communications Inc., submitting notice that effective May 28, 2004 Tech TV, currently broadcasting on channel 294 will no longer be available to San Francisco cable subscribers. (47)

From concerned citizens, submitting opposition to the new "Housing Element" offered by the Planning Department for the City's Master Plan. (48)

From Kate Moses, regarding harassment, citation and arrests of individuals at Crissy Field, Ocean Beach and Ft. Funston under the Federal Leash Law. (49)

From Rose-Marie Ullman, submitting opposition to proposed plan to transfer the operation of the Junior Museum to the "Randall Museum Friends". (50)

From concerned citizens, submitting opposition to proposed closure of the Sunset Mental Health Services Center. 200 letters (51)

From Controller's Office, submitting Departmental Fee Reports for fiscal year 2004-05. Copy: Each Supervisor (52)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUN 11 2004

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 15, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick, Peskin, Gonzalez

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lorich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. **040493 [Real Property Transfer Tax]**
 Supervisors Dufty, Ammiano, Daly
 Ordinance amending Article 12-C of the San Francisco Business and Tax Regulations Code (Real Property Transfer Tax Ordinance) to conform and clarify exemptions for transfers of real property between spouses and domestic partners, and to divide assets upon dissolution of marriage or domestic partnership.
- 6/8/2004. PASSED ON FIRST READING.
- Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

2. 040494 **[Settlement of Lawsuit - Novoa-Huf, et al.]**
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al.
(City Attorney)
- 6/8/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 040572 **[Settlement of Lawsuit - Doug Barkus]**
Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al.
(City Attorney)
- 6/8/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- Present: Supervisors Maxwell, Gonzalez*
4. 040632 **[Settlement of Lawsuit - Michael Stamper]**
Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
5. 040634 **[Settlement of Lawsuit]**
Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

6. 040343 [Taxi Legislation]
Supervisors Daly, Ma, Gonzalez
Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 040582 [Modification #9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc. at Terminal 3 of San Francisco International Airport]
Mayor
Resolution approving and authorizing the execution of Modification # 9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc., to reduce terminal space in Terminal 3 of San Francisco International Airport.
- Question: Shall this Resolution be ADOPTED?
8. 040636 [Amendment to Lease of Real Property]
Resolution authorizing the amendment to lease of real property located at 598 Portola, San Francisco, California with Twin Peaks Petroleum, Inc., a California corporation doing business as Twin Peaks Auto Care (Tenant) successor in interest to Michael Gharib.
(Real Estate Department)
- Question: Shall this Resolution be ADOPTED?
9. 040655 [Mortgage Credit Certificates]
Supervisor Alioto-Pier
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.
- Question: Shall this Resolution be ADOPTED?

**10. 040659 [Refunding San Francisco Courthouse Project Certificates of Participation (Series 1995)]
Mayor, Supervisor Hall**

Resolution approving the execution and delivery of refunding certificates of participation to refinance, in whole and/or in part, the \$40,635,000 outstanding Certificates of Participation (San Francisco Courthouse Project) Series 1995; approving the form of a first supplement to property and facility lease by and between the City and County of San Francisco (the "City") and U.S. Bank Trust National Association (the "Trustee"); approving the form of a first supplement to project lease between the Trustee and the City; approving the form of a first supplement to trust agreement between the City and the Trustee; approving the form of an escrow agreement between the City and BNY Western Trust Company; approving the form of the official notice of sale and the notice of intention to sell for the refunding certificates of participation; directing the publication of the notice of intention to sell for the refunding certificates of participation; approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; authorizing the payment of cost of issuance; and ratifying previous actions taken in connection therewith.

Question: Shall this Resolution be ADOPTED?

**11. 040660 [Mortgage Revenue Bonds]
Supervisor Peskin**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of qualified mortgage bonds in an aggregate principal amount not to exceed \$25,000,000; authorizing and directing the Director to deposit with the Controller's Office an amount not to exceed \$125,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application.

Question: Shall this Resolution be ADOPTED?

**12. 040680 [Lease of Property - Empress Hotel]
Supervisor Daly**

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Empress, LLC, as Landlord, for the Empress Hotel located at 144 Eddy Street, San Francisco, CA 94102.
(Fiscal impact)

Question: Shall this Resolution be ADOPTED?

13. 040710 [Contracting Out City Services]
Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees.
(District Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

14. 040539 [Requirements for Department of Building Inspection Permit Tracking System]
Supervisors Duffy, Ammiano, Gonzalez, Maxwell
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee "Without Recommendation"

Present: Supervisors Maxwell, Gonzalez

15. 031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****16. 040681 [Hearing - Health Service Reductions]****Supervisor Sandoval**

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

Action: _____

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm*

17. 040616 [Public Hearing - Appeal, FEIR for the proposed Transbay Terminal/Extension of Caltrain /Redevelopment Project at 425 Mission Street]

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Case No. 2000.048E, dated April 22, 2004, for the proposed Transbay Terminal/Extension of Caltrain/ Redevelopment Plan generally bounded by Mission, Main, Spear, Folsom, Essex, I-80, Second and Minna Streets; and the track alignment is under Townsend and Second Streets located at 425 Mission Street. (Appellants: Timothy A.Tosta on behalf of Myers Natoma Venture, LLC and Myers Development Company; Oliver L. Holmes; and Joseph J. Brecher representing 14 appellants).

(Dates Filed: 5/10/04 and 5/12/04; companion measure to Files 040629, 040630, 040631.)

6/8/2004, CONTINUED. Continued to June 15, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

18. 040629 [Affirming certification of the final environmental impact report for the Transbay Terminal]
Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)
- 6/8/2004, CONTINUED. Continued to June 15, 2004
Question: Shall this Motion be APPROVED?
19. 040630 [Reversing certification of the final environmental impact report for the Transbay Terminal]
Motion reversing the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)
- 6/8/2004, CONTINUED. Continued to June 15, 2004
Question: Shall this Motion be APPROVED?
20. 040631 [Preparation of findings for the final environmental impact report for the Transbay Terminal]
Motion directing the Clerk of the Board to prepare findings concerning the Board of Supervisors' action on the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.
(Clerk of the Board)
- 6/8/2004, CONTINUED. Continued to June 15, 2004
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Special Meeting on Monday, June 14, 2004 at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

21. 040828 [Reducing the size of the Budget Committee to three members year-round]
Supervisor Gonzalez
Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.
- Question: Shall this Motion be APPROVED?

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 24 through 37

24. 040838 [Commending Instituto Laboral de la Raza]
Supervisor Ammiano
Resolution commending Instituto Laboral de la Raza on the occasion of their Annual Labor Awards Dinner, and, because of their compassionate work for the protection of all workers, but especially the rights of immigrant workers and because of their commitment to building a strong and united San Francisco, declare Friday, June 11, 2004, as Workers Rights Day.

6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
25. 040839 [Accept-Expend State Grant - MTA, DPT]
Supervisor Ammiano
Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of \$100,359 from the California Department of Transportation for an Environmental Justice Planning grant to produce a comprehensive community-based pedestrian and traffic safety plan for Valencia Street.

6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 040840 [Commending Laura Ware]
Supervisor Daly
Resolution commending Laura Ware for 14 years of service at Community Housing Partnership and declaring June 30, 2004 Laura Ware Day.

6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 040841 [Urging United States Postal Service to recognize Single Room Occupancy as permanent housing]
Supervisor Daly
Resolution urging the United States Postal Service to recognize Single Room Occupancy as permanent low-cost housing for many San Franciscans, and to afford residents the right to receive their mail with the same security and privacy as tenants of traditional apartments.

6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

28. 040842 [Honoring Andrew Goodman, Michael Schwerner, and James Chaney]
Supervisor Dufty
Resolution honoring civil rights workers Andrew Goodman, Michael Schwerner, and James Chaney upon the fortieth anniversary of their death.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 040843 [Bike Plan Update and the Transportation Authority]
Supervisor Gonzalez
Resolution urging the Transportation Authority to facilitate the completion and adoption of the San Francisco Bike Plan Update by procuring consulting services necessary to develop required traffic and environmental analysis in a timely fashion and urging the Planning Department to provide to the Board of Supervisors and the Transportation Authority by July 1st, 2004 the specific criteria against which the environmental analysis will be evaluated.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 040844 [Condemning Attacks on North Beach Art Galleries]
Supervisors Peskin, Daly, Alioto-Pier, Ammiano, Gonzalez
Resolution condemning recent attacks on North Beach art galleries and urging the San Francisco Police Department and District Attorney's Office to cooperate and collaborate in ensuring the free speech rights of San Francisco's arts community.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 040845 [Philippine Heritage Day]
Supervisor Ma
Resolution recognizing Philippine Heritage Day in the City and County of San Francisco.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 040848 [Urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products]
Supervisor Maxwell
Resolution urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

33. 040849 [Gift in Place to the Recreation and Park Department]
Supervisor Maxwell
Resolution accepting and expending a gift in place valued at \$250,000 from the Trust For Public Land to the Recreation and Park Department for India Basin Shoreline Park.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
34. 040850 [Urging peaceful resolution of grocery workers contract negotiations]
Supervisor McGoldrick
Resolution urging parties to the upcoming Grocery Store union contract negotiations to bargain in good faith to reach a fair and equitable collective bargaining agreement.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 040851 [Commending Craigslist]
Supervisor McGoldrick
Resolution commending Craigslist for their success serving and building community among the residents of the City and County of San Francisco, and declaring October 10, 2004 as "Craigslist Day" in the City and County of San Francisco.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 040852 [Declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco"]
Supervisor McGoldrick
Resolution declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco".
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 040853 [Proclaiming June 15, 2004 as Prescription Drug Awareness Day]
Supervisors Sandoval, Peskin
Resolution proclaiming June 15, 2004 as Prescription Drug Awareness Day in the City and County of San Francisco.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 1, 2004 through June 7, 2004, for reference by President to appropriate committee on June 15, 2004.

040712 [Settlement Of Lawsuit - Ray Mizyed and Gary Thompson]

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

6/3/2004, RECEIVED AND ASSIGNED to Rules Committee.

040713 [Settlement of Lawsuit (Partial Settlement) - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms.
(City Attorney)

6/3/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 1, 2004 through June 7, 2004, for reference by President to appropriate committee on June 15, 2004.

040714 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to Accept and Expend \$41,002,071 of Federal Formula Section 5307 and Congestion Mitigation for Air Quality Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs.
(Municipal Transportation Agency)

6/3/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040715 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$35,351,840 of Federal Formula Section 5309 Fixed Guideway capital assistance for construction of Muni's Metro East Light Rail Facility, excluding administrative overhead costs.
(Municipal Transportation Agency)

6/3/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040868 [Petitions and Communications]

Petitions and Communications received from June 1, 2004 through June 7, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 15, 2004.

From concerned citizens, submitting support for the Mayor's efforts to create greater budget efficiency by contracting out appropriate city services to private companies. 70 letters (1)

From Planning Department, submitting the revised and updated Housing Element of the General Plan for the City and County of San Francisco. Copy: Each Supervisor (2)

From Department of Administrative Services, submitting annual report on Sole Source Contracts. (3)

From RCN Corporation, submitting Chapter 11 Reorganization Proceedings for RCN Corporation. Copy: Department of Telecommunication and Information Services (4)

From Office of the Mayor, submitting notice of the number or reorganizations that will improve efficiency and provide budgetary savings. Copy: Budget Committee (5)

From John Kelly, commenting that museums are grossly over funded by the City and County of San Francisco. Copy: Each Supervisor (6)

From S.F. Mental Health Board, submitting resolution urging San Francisco be a role model and deliver a message to our nation about the importance of protecting our infrastructure and protecting all of our residents, even or especially, during a time of international crisis and danger. (7)

From S.F. Mental Health Board, submitting resolution responding to the crystal methamphetamine crisis in San Francisco. (8)

From Mayor, submitting the Mayor's proposed Budget for fiscal year 2004-2005. Copy: Each Supervisor (9)

From Controller, submitting response to data request for tax rate scenarios for the Real Property Transfer Tax and Commercial Occupancy Tax. (10)

From Tenant Associations Coalition of San Francisco, submitting copy of letter sent to the Department of Parking and Traffic regarding various traffic issues affecting the tenants who live in and or access the Geary and O'Farrell Street corridor. (11)

From the Department of Aging and Adult Services, regarding the budget reduction impact on the department's proposed layoffs of employees in public contact positions. (Reference No. 20040427-015) Copy: Supervisors Ma and Dufty (12)

From Office of the Treasurer, submitting correspondence that shows the investment activity (for fiscal year to date) of the portfolios under management. Copy: Each Supervisor (13)

From Duane Morris LLP, responding to issues raised by the Planning Department regarding appeal of the certification of the Transbay Terminal/Caltrain Extension/Redevelopment Project EIS/EIR. File 040616 (14)

From Steefel, Levitt & Weiss, submitting supplemental to the May 10, 2004 letter appealing the Planning Commission's/Redevelopment Agency's certification of the Transbay Terminal/CalTrain Downtown Extension/Redevelopment Project's Final Environmental Impact Statement/Environmental Impact Report (collectively, "EIS/EIR"). File 040616, Copy: Each Supervisor (15)

From Office of the District Attorney, submitting information regarding the Aggressive Solicitation Ban ("Prop. M"). (Reference No. 20040427-001) Copy: Supervisor Gonzalez (16)

From Office of the Controller, regarding request for a report listing all established city funds along with the requirements that guide the use of money and delineate the process to expend money from the fund. (Reference No. 20040518-003) Copy: Supervisor-Maxwell (17)

From Juvenile Probation Department, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-012) Copy: Supervisors Ma and Duffy (18)

From Planning Department, submitting certificate of determination of exemption/exclusion from environmental review for proposed legislation regarding that adult entertainment uses are no less than 1,000-feet from schools, child care facilities and playgrounds. File 040324, Copy: Each Supervisor (19)

From San Francisco Children and Families Commission, submitting Sole Source Contracts entered into fiscal year 2002-03. (20)

From Department of Human Services, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-005) Copy: Supervisors Ma and Duffy (21)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety was conducted at Municipal Courts/Holding Cells at 850 Bryant Street, 1st, 2nd and 3rd floors. (22)

From Department of Public Health, regarding the issue of compensation for the Technologists (also known as Diagnostic Imaging Technologists) employed by the City and County of San Francisco. (Reference No. 20040511-001) Copy: Supervisor Peskin (23)

From Department of Human Resources, submitting the Interim Annual Salary Ordinance for the fiscal year ending June 30, 2005. (24)

From Fire Department, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-011) Copy: Supervisors Ma and Duffy (25)

From the Sunshine Ordinance Task Force, urging the Board to consider Sole Source Contract reporting requirements as a part of the budget process. Copy: Each supervisor (26)

From Sue Hestor, regarding receiving notices/calendars of Board of Supervisors Committee meetings. (27)

From Airport, submitting announcement that the San Francisco International Airport has been awarded the coveted Eagle Award by the International Air Transport Association in recognition of "outstanding performance in providing value for money, constant improvement and a high level of airline customer satisfaction." (28)

From Luce Forward, urging the Board to reject the appeals of the certification of the Final Environmental Impact Report and Final Environmental Impact Statements for the Transbay Terminal/Caltrain Downtown Extension, Redevelopment Projects. Copy: Each Supervisor (29)

From Department of Public Health, EEO and Cultural Competency, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-007) Copy: Supervisors Ma and Duffy (30)

From Office of the Controller, submitting the Interim Annual Appropriation Ordinance for fiscal year 2004-05. (31)

From World Air Transport Summit, submitting announcement that the San Francisco International Airport has been awarded the coveted Eagle Award by the International Air Transport Association in recognition of "outstanding performance in providing value for money, constant improvement and a high level of airline customer satisfaction." (32)

From Bay Rail Alliance, submitting support for the Planning Commission's approval of the FEIS/FEIR for the Transbay Terminal, Caltrain Downtown Extension, Redevelopment Agency Project. File 040629, Copy: Each Supervisor (33)

From Peter Briscoe, submitting support for the appointment of Peter Warfield to the Library Citizens Advisory Committee. Copy: Rules Committee (34)

From Aging and Adult Services Commission, submitting resolution regarding funding for older adults and younger adults with disabilities. (35)

From concerned citizens, submitting support for granting conditional approval of a historic property contract for the Chronicle Building located at 690 Market Street. File 040329 (36)

From concerned citizens, submitting opposition to displaying Guy Coldwell's paintings in City Hall. (37)

From concerned citizens, concerning the addition and revocation of specified yellow and bus zones in and around Geary and O'Farrell Street. (38)

From Department of Consumer Assurance, submitting the Agricultural Crop Report for 2003. (39)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUN 17 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 22, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 11, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma

1. **040683 [State contract funds for substance abuse treatment]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS) to enter retroactively into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2004, through June 30, 2008 in the amount of \$57,686,688 and for the term of July 1, 2004 through June 30, 2005 in the amount of \$19,228,896 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of SFDPH,CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

2. 040343

[Taxi Legislation]

Supervisors Daly, Ma, Gonzalez

Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.

6/15/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Peskin, Maxwell

3. 040617

[STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mariposa Street, stopping Mariposa Street at Florida Street, making this intersection an All-Way STOP;

Mariposa Street, stopping Mariposa Street at Hampshire Street, making this intersection an All-Way STOP;

22nd Street, stopping 22nd Street at Alabama Street, making this intersection an All-Way STOP;

Hillway Avenue, stopping Hillway Avenue at Parnassus Avenue, controlling the stem to this T-intersection; and

Broderick Street, stopping Broderick Street at Jefferson Street, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Question: Shall this Resolution be ADOPTED?

4. 040618

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 9 AM AND 4 PM TO 6 PM, EVERYDAY EXCEPT SUNDAYS - ESTABLISH

Columbus Avenue, northbound and southbound, at Filbert Street.

NO LEFT TURN - ESTABLISH

Idora Avenue, northbound, to westbound Woodside Avenue.

TRANSIT AND TAXIS ONLY ON EVENT DAYS AT CANDLESTICK PARK - ESTABLISH

Giant's Drive, south of Ingerson Avenue (Candlestick Park Bus Loop Roadway)

Ingerson Avenue, between Giant's Drive and Hawes Street.

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH

4th and Channel Streets, from northbound 4th Street (Lot B exit) to westbound Channel Street.

(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Peskin, Maxwell

5. 040619 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

La Salle Avenue, north side, along the bulb-out across from the entrance to Osceola Lane (65 feet);
La Salle Avenue, north side, along the bulb-out at the entrance to Gloria R. Davis School (108 feet);
La Salle Avenue, south side, along the western bulb-out curb return at the closed-off portion of Osceola Lane (31 feet);
La Salle Avenue, south side, along the western and eastern bulb-out curb returns at Whitfield Lane (40 feet and 34 feet, respectively); and
La Salle Avenue, north side, along the bulb-out contiguous to Ingalls Street (64 feet).

TOW-AWAY, NO STOPPING, 7 AM - 5 PM SCHOOL DAYS - RESCIND

TOW-AWAY, NO STOPPING, 7 AM - 6 PM SCHOOL DAYS - ESTABLISH
Washington Street, south side, between Stockton and Powell Streets.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH

Monterey Boulevard, north side, at Circular Avenue, from the west end of the driveway of 66 Monterey Boulevard to the east end of the driveway of 76 Monterey Boulevard.

ANGLE PARKING - RESCIND

Point Lobos Avenue, from 17 feet west of the eastern edge of 1090 Point Lobos Avenue to 80 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

14th Avenue, both sides, between Anza Street and Geary Boulevard (400 block); and
Cabrillo Street, both sides, between 14th and 15th Avenues (1300 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 26th and Cesar Chavez Streets (a portion of the 1400 block).

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Avenue, west side, between Ulloa and Vicente Streets (2500 block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Willow Street, south side (odd numbers only), between Buchanan and Laguna Streets (600 block);
and

Note: Signs will not be posted on this block because of the No Parking restrictions, but residents will be able to purchase permits.

1200 and 1300 blocks of Buchanan Street, east side (even numbers only), between Larch Way and Willow Street.

Note: Signs will not be installed on the 1200 block of Buchanan Street until the parking occupancy of 80% is met, but residents will be able to purchase permits.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Stanyan Street, both sides, between Belgrave Avenue and Rivoli Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hickory Street, south side, between Gough and Octavia Streets; and
Lily Street, both sides, between Gough and Octavia Streets.

Note: "No Parking Anytime" signs will not be removed from the north side of Lily Street, but residents will be able to purchase permits).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Carolina and De Haro Streets.

TWO-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH

Chesley Street, east side, between Harrison Street and southern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Noe Street, east side, from 17th Street to Market Street;

14th Street, south side, between Buena Vista Terrace and Roosevelt Way; and

Treat Avenue, west side, from the southern limit of the 1602 Treat Avenue curb-cut to the southern terminus of Treat Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Treat Avenue, between the driveways of 1609 and 1615 Treat Avenue (25-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

164 Lucky Street, west side, from 171 feet to 198 feet north of 26th Street (27-foot zone).

NO PARKING ANYTIME - RESCIND

167 Lucky Street, east side, between the north and south property lines.

NO PARKING, 6 PM TO 8 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND

Harrison Street, west side, from 15th Street to 180 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Baker Street, east side, between the driveways of 420 and 430 Baker Street (6-foot zone).

620-624 - 6th Avenue, east side, from 129 feet to 134 feet south of Balboa Street (One space between driveways in front of 624 - 6th Avenue only. The remainder of the curb to be painted red.)

ANGLE (60-DEGREE ANGLE) PARKING - ESTABLISH

Randolph Street, north side, from 72 feet west of Arch Street to 115 feet west of Arch Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Kaplan Lane, east side, from Clementina Street to the northern terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Opposite Frontage of 1351-1355 De Haro Street (within area currently marked unofficially for No Parking).

NO PARKING ANYTIME - ESTABLISH

Panama Street, both sides, west of Niantic Avenue to the terminus.

NO PARKING ANYTIME 9 AM to 2 PM, EXCEPT SUNDAYS - RESCIND
NO PARKING ANYTIME, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Phelan Avenue, west side, between Flood and Staples Avenues.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Montecito Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Hazelwood Avenue, east side, from Staples Avenue to Judson Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Greenwood Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 7 AM TO 6 PM, EVERYDAY - RESCIND
TWO-HOUR PARKING, 7 AM TO 6 PM, SCHOOL DAYS - ESTABLISH
Colon Avenue, both sides, from Greenwood Avenue to Terminus.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Valdez Avenue, east side, from Monterey Boulevard to Greenwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SATURDAYS AND SUNDAYS - RESCIND
PARKING HOURS, 8 AM TO 4 PM, SUNDAYS AND HOLIDAYS EXCEPTED - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Hazelwood Avenue, east side, from Monterey Boulevard to Staples Avenue.
(Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Question: Shall this Resolution be ADOPTED?

6. 040906

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING ARE "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH

1126-1130 Harrison Street, north side, between 7th and 8th Streets (Signs will not be posted on this street, but residents will be able to purchase permits).

1161-1161A Harrison Street and 1163 - 1165 Harrison Street, south side, between 7th and 8th Streets (Sign will not be posted on this street, but residents will be able to purchase permits)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

7. 040632 [Settlement of Lawsuit - Michael Stamper]

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al.
(City Attorney)

6/15/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040634 [Settlement of Lawsuit]

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al.
(City Attorney)

6/15/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

9. 040854 [Adopting findings related to the conditional use appeal on property located at 833-881 Jamestown Avenue]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 1999.0233C, (which allowed, a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991).
(Clerk of the Board)

6/14/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

10. 040539 [Requirements for Department of Building Inspection Permit Tracking System]
Supervisors Dufty, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

6/15/2004, AMENDED.

6/15/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee "Without Recommendation"

Present: Supervisors Maxwell, Gonzalez

11. 040907 **[Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez**

Ordinance amending Article III of the San Francisco Campaign and Governmental Conduct Code by adding Chapter Four, Section 3.400 to require the equal treatment of permit applicants and the adoption of a permit processing code of conduct.

6/15/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

12. 040723 **[Interim Government Funding, Fiscal Year 2004-2005]**
Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
(Mayor)
(Fiscal impact.)
Supervisor Daly dissented in Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 040724 **[Interim Public Employment, Fiscal Year 2004-2005]**
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 040727 **[Redevelopment Agency Budget, Fiscal Year 2004-2005]**
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005.
(Mayor)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

15. 040786 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]**
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 040787 [MOU - Building Inspectors' Association (6334 Chief Building Inspector)]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 040788 [MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 040789 [MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 040790 [MOU - Sheet Metal Workers International Union, Local 104]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 040792 [MOU - International Federation of Professional and Technical Engineers, Local 21]
Mayor
Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 040793 [MOU - Northern California Carpenters Regional Council, Local 22]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 040795 [MOU - Operating Engineers, Local 3]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 040796 [MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040797 [MOU - Teamsters, Local 350]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 040798 [MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 040799 [MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
27. 040800 [MOU - Painters Union Local District Council #8, Local 4]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 040801 [MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 040802 [MOU - Cement Masons, Local 580]
Mayor
Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 040803 [MOU - Plasterers and Shophands, Local 66]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 040804 [MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
32. 040805 [MOU - Teamsters, Local 853]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 040806 [MOU - Teamsters Local 856 (Multi-Unit)]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 040807 [MOU - Municipal Attorneys Association]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 040808 [MOU - Municipal Executives Association]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 040809 [MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 040811 [MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 040812 [MOU - Union of American Physicians and Dentists (Unit 8-CC)]
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 040813 [MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 040814 [MOU - Transport Workers' Union, AFL-CIO Local 200]
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 040815 [MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
42. 040816 [MOU - International Brotherhood of Electrical Workers, Local 6]
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
43. 040817 [MOU - San Francisco District Attorney Investigator's Association]
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
44. 040818 [MOU - San Francisco Police Officers' Association (SFPOA)]
Mayor
Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) incorporating a new temporary modified duty policy; (b) providing guidelines for the required use of uniform allowances effective 7/1/04; (c) providing criteria for the selection of senior night-duty officers at each district station; (d) correcting a clerical error regarding the effective date of scheduled wage increases.
Supervisor Daly dissented in Committee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 040794 [MOU - Laborers International Union, Local 261]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Sandoval, Daly, McGoldrick, Gonzalez

46. 040791 [MOU - International Alliance of the Theatrical Stage Employees, Local 16]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 040810 [MOU - Service Employees International Union, Locals 250, 535 and 790]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Sandoval, Daly, McGoldrick

48. 040571 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 04-05]

Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2004-2005.

(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Peskin, Maxwell

49. 040620 [Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]
Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only.

(Parking and Traffic Department)

(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 040621 [Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]
Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic.

(Parking and Traffic Department)

(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2806.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Peskin, Maxwell

51. 040686 [Transit Advertising Contract with Viacom Outdoor Inc.]
Mayor
Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of \$16,425,000 during the five-year term of the contract.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

The following items will be considered by the Finance and Audits Committee at a Recessed Meeting on Friday, June 18, 2004, at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

52. 040833 [Housing Bonds]
Supervisors Gonzalez, Daly
- Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

Question: Shall this Resolution be ADOPTED?

53. 040658 [Housing Bonds]
Mayor, Supervisors Peskin, Ammiano, Dufty, Maxwell, Alioto-Pier
- Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$185,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

Question: Shall this Resolution be ADOPTED?

54. 040363 [To appropriate funding from Department of Building Inspection]
Mayor
- Ordinance appropriating \$1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.
- (Fiscal impact; Department requests this item be scheduled for consideration with File No. 040304)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Finance and Audits Committee at a Rescheduled Meeting on Tuesday, June 22, 2004, at 9:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

55. 040835 **[Reappropriate projected surplus from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year]**
Supervisor Daly
Ordinance appropriating \$1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 040819 **[Fee Adjustments - Planning Department services]**
Mayor
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. 040820 **[Fee Adjustments - Planning Department services]**
Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

58. 040745 **[Reducing the maximum Annual Residential Rent Ordinance Fee from \$27 to \$26 per unit, and eliminating the 2002 two-year sunset provision]**
Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Section 37A.2 to reduce the maximum Annual Residential Rent Ordinance Fee from \$27 per unit to \$26 per unit, and to eliminate the two-year sunset provision enacted in 2002 so that an owner may continue to recover up to \$21.50 per unit from tenants; and, making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

59. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

60. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

61. 040721 [Payment of Attorneys Fees]
Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.
(City Attorney)

6/8/2004, CONTINUED. Continued to June 22, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee with Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

62. 040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007.

(City Attorney)

Supervisor Maxwell dissented in Committee.

6/8/2004, CONTINUED. Continued to June 22, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

63. 040711 [Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation.
(City Attorney)

6/8/2004. CONTINUED. Continued to June 22, 2004

Action: _____

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

64. 040877 [Legislative Analyst Request - Proposed Taxes]
Supervisor Hall

Motion requesting the Legislative Analyst's Office to provide a comprehensive Economic Impact Report of the proposed Transaction and Use Tax Increase and the Business Tax by June 30, 2004:

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code and Business Tax.

Ordinance amending the Business and Tax Regulations Code to enact a new Article 12-A-1, as specified to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); amend Article 12-A (Payroll Expense Tax Ordinance).

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 65 through 74

- 65. 040850 [Urging peaceful resolution of grocery workers contract negotiations]**
Supervisor McGoldrick
Resolution urging parties to the upcoming Grocery Store union contract negotiations to bargain in good faith to reach a fair and equitable collective bargaining agreement.
- 6/8/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
6/15/2004, CONTINUED. Supervisor McGoldrick requested that this matter be continued.
Continued to June 22, 2004.
Question: Shall this Resolution be ADOPTED?
- 66. 040878 [Proclamation - Survivor of Homicide Victims Awareness Month in San Francisco]**
Supervisor Maxwell
Resolution proclaiming November 20 to December 20th of each year as Survivor of Homicide Victims awareness Month in San Francisco.
- 6/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 67. 040880 [Opposing the Repeal of Senate Bill 2]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Maxwell, Dufty, Ma, Sandoval, McGoldrick
Resolution expressing support for expanding health care coverage for uninsured San Franciscans and helping to ensure quality coverage for low and moderate income workers and opposing the repeal of Senate Bill 2 and urging an affirmative vote on the November 2nd, 2004 referendum.
- 6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 68. 040885 [Commending Nicole Derse]**
Supervisor Gonzalez
Resolution commending Nicole Derse for her outstanding contribution to the San Francisco Youth Commission and to the City and County of San Francisco.
- 6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

69. 040886 [Waiving deadlines pursuant to Section 2.34 of the Administrative Code - Housing Bond Resolution of Public Interest and Necessity]
Supervisor Gonzalez
Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code, allowing the Housing Bond Resolution of Public Interest and Necessity (Board File No. 040833) to be adopted less than 141 days before the November 2, 2004 Election.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
70. 040888 [Support for Proposition 215-Compassionate Use Act]
Supervisors Gonzalez, Ammiano, Daly
Resolution reaffirming the City and County of San Francisco's support for growers of medical marijuana within San Francisco's municipal jurisdiction to exercise their right to cultivate and distribute medical marijuana under San Francisco's Proposition P and California's Proposition 215 without arrest and/or harassment by the San Francisco Police Department under legally uncertain charges, or from unreasonable fear of prosecution by the District Attorney of San Francisco, whether acting alone or in conjunction with federal or state agencies.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
71. 040889 [Requesting Real Estate Department to appraise the property at 220 Jones Street]
Supervisor Gonzalez
Resolution requesting the Real Estate Department to appraise the parcel at 220 Jones Street and return a fair market value to the Board of Supervisors.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
72. 040890 [Issuance and Sale of Revenue Bonds - Broadway Family Apartments Multifamily Residential Rental Housing Development]
Supervisor Peskin
Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of Revenue Bonds by the City and County of San Francisco in an Aggregate Principal Amount not to exceed \$25,000,000 for the Broadway Family Apartments Multifamily Residential Rental Housing Development.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
73. 040874 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

74. 040884 [Requesting Controller's assistance so that DPH can increase its clinic and program reimbursements]

Supervisor Duffy

Motion requesting the Controller to work with the Department of Public Health in Fiscal Year 04-05 to increase billings and reimbursements from the Department's clinics and programs in order to increase revenues and thereby reduce the possibility of future program reductions.

6/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

75. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 8, 2004 through June 14, 2004, for reference by President to appropriate committee on June 22, 2004.

040718 [Third Street and Oakdale Avenue Affordable Housing Special Use District]

Ordinance establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, by adding Planning Code Section 249.27, and making findings.

(Planning Department)

(Companion measure to File 040719.)

6/8/2004, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/22/2004.

040719 [Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District]

Ordinance amending Zoning Map Section 10 of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street;; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

6/8/2004, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/22/2004.

040720 [Authorizing the Vacation and Transfer to the Redevelopment Agency of a Portion of Stevenson Street between 3rd and 4th Streets]

Ordering the summary vacation of an unused and unneeded portion of Stevenson Street between 3rd and 4th Streets; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated portion of Stevenson Street to the San Francisco Redevelopment Agency; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)

6/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040856 [Department of Elections Conflict of Interest Code]

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules.
(Elections Department)

6/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 8, 2004 through June 14, 2004, for reference by President to appropriate committee on June 22, 2004.

040857 [Settlement of Claim - Cambridge Integrated Services, Inc.]

Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang.
(City Attorney)

6/14/2004, RECEIVED AND ASSIGNED to Rules Committee.

040908 [Petitions and Communications]

Petitions and Communications received from June 8, 2004 through June 14, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 22, 2004.

From concerned citizens, submitting support for the Mayor's efforts to create greater budget efficiency by contracting out appropriate city services to private companies. File 040594, Approximately 200 letters (1)

From Office of the Controller, submitting report concerning the concession audit of Books Inc. (2)

From concerned citizens, submitting support for the decision of the Planning Commission approving certification of the Final Environmental Impact Report for the proposed Transbay Terminal/Extension of Caltrans/Redevelopment Plan. File 040616, Copy: Each Supervisor (3)

From concerned citizens, submitting support for the appointment of Peter Warfield to the Bay Area Library and Information System Advisory Board. File 040866, Copy: Rules Committee, 2 letters (4)

From Police Department, regarding staffing levels at all the district stations of the San Francisco Police Department along with associated information that was requested. (Reference No. 20040413-001) Copy: Supervisor Sandoval (5)

From Emergency Communications Department, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-010) Copy: Supervisors Ma, Duffy (6)

From various signators, submitting Form 700 Statement of Economic Interests: Emily Drennen (7)

From Office of the Controller, submitting a review of the Mayor's fiscal year 2004/05 Proposed Budget. Copy: Harvey Rose, Each Supervisor (8)

From Adult Probation Department, regarding how the budget reduction will affect the department's ability to implement the Equal Access to Services Ordinance. (Reference No. 20040427-002) Copy: Supervisors Ma, Duffy (9)

From concerned citizens, submitting support for full funding of the Sunset Mental Health Services Program. (10)

From Sierra West Group, commenting on the alarming rate of construction cost in California, and giving some suggestions on ways to be proactive to slow down the escalation in the bidding process of large projects. (11)

From concerned citizens, submitting support for full funding of the South of Market Teen and Family Center for fiscal year 2004-05. (12)

From Supervisor Mike Nevin, County of San Mateo, submitting copy of letter sent to the President of AC Transit Board of Directors responding to various concerns regarding the Transbay Joint Powers Authority. Copy: Each Supervisor (13)

From concerned citizens, urging the Board of Supervisors not to reduce funding for translation services at San Francisco General Hospital. (14)

For Department of Human Resources, submitting request for a technical adjustment. Copy: Each Supervisor (15)

For Department of Human Resources, submitting a preliminary review of the Taxi Commission's proposed new and substitute positions for fiscal year 2004-05 budget. Copy: Budget Committee (16)

For Department of Human Resources, submitting a preliminary review of the Airport Commission's proposed new and substitute positions for fiscal year 2004-05 budget. Copy: Budget Committee (17)

From Civil Service Commission, submitting notice that the Civil Service Commission did not enter into any Sole Source Contracts in fiscal year 2002-03. (18)

From Office of the City Attorney, submitting notice that appeal of Planning Commission's decision, approving the negative declaration for revision of the "Housing Element" was filed in a timely manner, and should be calendared before the Board of Supervisors for a public hearing. Files 040704, 040705, 040706, 040707 (19)

From Police Commission, submitting Resolution No. 47-04, electing Commissioner Louise Renne as President and Commissioner Gayle Orr-Smith as Vice President of the Police Commission. (20)

From Department of Public Works, submitting list of the quantity and nature of any encroachment permits issued for property under Department of Public Work's jurisdiction, current income from these permits, and an outline of the formula employed for determining the price for such permits. (Reference No. 20040330-004) Copy: Supervisor Peskin (21)

From Office of the City Attorney, submitting a detailed City Attorney Monthly Report for services provided to the Board of Supervisors – confidential matters for April 2004. (22)

From Office of the City Attorney, submitting a detailed City Attorney Monthly Report for services provided to the Board of Supervisors for April 2004. (23)

From Glas Kat nightclub, submitting copy of letter sent to the City Attorney regarding noise, litter and loitering in the parking lots near Fourth and Brannan Streets. Copy: City Services Committee (24)

From City Attorney, responding to letter regarding the Glas Kat nightclub and its related parking at Fourth and Brannan Streets. (25)

From Planning Department, submitting response to letter with additional information regarding the Transbay Terminal Final Environmental Impact Statement Report. (26)

From Oxane Taub, submitting opposition to the twelve parking spaces taken away from the area of California and 32nd Avenue by Burke (Private) School. File 040375, Copy: Each Supervisor (27)

From concerned citizens, submitting opposition to proposed funding cuts to the Chinatown Public Health Center. 2 letters (28)

From Coalition for San Francisco Neighborhoods, submitting resolution concerning safety and health conditions in the Tenderloin area of San Francisco. (29)

From SEIU, urging the Board of Supervisors to set up a task force to come up with a plan to eliminate provisional appointments. (30)

From Abdalla Megahed, urging the Board of Supervisors to continue funding the Tom Waddell Health Center at 50 Lenza Walesea Street. (31)

From concerned citizens, urging the Board of Supervisors to support community gardener's grassroots efforts to establish a new organization for the gardeners of San Francisco. (32)

From Office of the City Attorney, regarding the Transbay Terminal Final Environmental Impact Statement Report. File 040616 (33)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Board of Appeals. (34)

From the Arts Commission, submitting list of Sole Source Contracts entered into in fiscal year 2002-03. (35)

From James Chaffee, submitting letter entitled "Big loss for San Francisco voters in Prop E lawsuit" filed by James Chaffee. (36)

From Dr. Vince Fortanasce, submitting letter entitled "California Stem Research and Cures Act Fact Sheet." Copy: Each Supervisor, File 040330 (37)

From California Public Utilities Commission, submitting notice that PG&E filed an application for PG&E's 2005 Energy Resource Recovery Account (ERRA) and ongoing Competition Transition Charge revenue requirements. (38)

From concerned citizens, submitting support for the S.F. Zoo's decision to release their remaining elephants to one of the elephant sanctuaries offering them a home. (39)

From Department of Public Health, submitting San Francisco monthly STD report for April 2004. (40)

From Comcast Cable, submitting notice that effective July 1, 2004 Comcast will add the Game TV channel to customers subscribing to the Digital level of services. (41)

From Michael Hunt, submitting opposition to proposed opening of a "Trader Joe's" at 15th and Market Streets. (42)

From concerned citizen, submitting support for action taken by the San Francisco Police Department against the demonstrators at the recent biotech convention demonstration. Copy: Each Supervisor (43)

From SEIU members, submitting opposition to the City's request that SEIU members continue to pay the 7.5% retirement pickup. (44)

From Cathie Taylor, submitting opposition to contracting out jail health services to private companies. (45)

From concerned citizens, submitting opposition to any funding cuts to Rose Resnick Lighthouse for the Blind and Visually Impaired Center. (46)

From Dan & Claire Tuttle, urging the Mayor and the Board of Supervisors to reconsider including the current Senior Planning Staff for consideration in the critical post of Planning Director. (47)

From Ken Beecher, commenting on the beautiful clean city San Francisco was back in the 1950's and how dirty it is now. (48)

From Bill Stephens, submitting a newspaper article (in pdf form) from the Wall Street Journal regarding the pervasive use of wireless telecommunications data services throughout San Francisco. Copy: Each Supervisor (49)

From Glendy Chan, urging the Board of Supervisors to do whatever it can to keep the streets around the Transbay Terminal area clean. Copy: Each Supervisor, Department of Public Works (50)

ADJOURNMENT

JUN 22 2004

SAN FRANCISCO
PUBLIC LIBRARY



City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

06-22-04 10:00 AM

General Notice

Transmitted 06-18-2004

A public hearing has been scheduled for 6/29/04 at 5:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

040704 Public Hearing - Appeal, Preliminary Negative Declaration for the Proposed Revision of the Housing Element of the S.F. General Plan

Hearing of persons interested in or objecting to the decision of the Planning Department by its Motion No. 16786 dated May 13, 2004 (Case No. 2000.465E), approving the preliminary negative declaration for the proposed revision of the Housing Element of the San Francisco General Plan. (Appellants: John Bards, on behalf of the Inner Sunset Action Committee; Paige J. Swartley of Brand-Hawley Law Group, representing fifteen (15) appellants.)

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689

**Public Library
Documents Department
San Francisco, CA 94102**

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 29, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Duffy, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 18, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 48

Recommendations of the Land Use Committee

Present: Supervisors Peskin, Maxwell

1. 040620 [Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]
Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only.
(Parking and Traffic Department)
(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 040621 [Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]
- Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic.
- (Parking and Traffic Department)
- (5/4/04: categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2806.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Peskin

3. 040637 [Grant of Regional Funds]
- Resolution authorizing the Municipal Transportation Agency to accept and expend \$534,401 of Carl Moyer grant funds for the Municipal Railway Bus Catalyst Device Procurement, excluding administrative overhead costs.
- (Municipal Transportation Agency)
- Question: Shall this Resolution be ADOPTED?**
4. 040715 [Grant of Federal Funds]
- Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$35,351,840 of Federal Formula Section 5309 Fixed Guideway capital assistance for construction of Muni's Metro East Light Rail Facility, excluding administrative overhead costs.
- (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

5. 040664 [Settlement of Lawsuit - Joyce Vanman]
- Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco.
- (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 040665 **[Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**
Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 040697 **[Settlement of Lawsuit - Caleb Mather]**
Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
8. 040772 **[Appointment - Commission on the Aging Advisory Council]**
Resolution appointing Marylouise Lovett, for the unexpired portion of a two-term ending March 31, 2006, to the Commission on the Aging Advisory Council.
- Question: Shall this Resolution be ADOPTED?
9. 040866 **[Appointment - Bay Area Library and Information System Advisory Board]**
Resolution appointing Nora Dowley, term ending June 30, 2006, to the Bay Area Library and Information System Advisory Board.
- Question: Shall this Resolution be ADOPTED?
10. 040867 **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Helen Lee, for the unexpired portion of a three-year term ending December 31, 2005, to the Child Care Planning and Advisory Council.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

11. 040724 **[Interim Public Employment, Fiscal Year 2004-2005]**
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)
(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 040786 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]**
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
13. 040787 **[MOU - Building Inspectors' Association (6334 Chief Building Inspector)]**
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

14. 040788 [MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 040789 [MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 040790 [MOU - Sheet Metal Workers International Union, Local 104]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 040791 [MOU - International Alliance of the Theatrical Stage Employees, Local 16]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

18. 040792 [MOU - International Federation of Professional and Technical Engineers, Local 21]**Mayor**

Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 040793 [MOU - Northern California Carpenters Regional Council, Local 22]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 040794 [MOU - Laborers International Union, Local 261]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 040795 [MOU - Operating Engineers, Local 3]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. 040796 [MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
23. 040797 [MOU - Teamsters, Local 350]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
24. 040798 [MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
25. 040799 [MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

26. 040800 [MOU - Painters Union Local District Council #8, Local 4]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

27. 040801 [MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

28. 040802 [MOU - Cement Masons, Local 580]**Mayor**

Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

29. 040803 [MOU - Plasterers and Shophands, Local 66]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

30. 040804 [MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
31. 040805 [MOU - Teamsters, Local 853]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
32. 040806 [MOU - Teamsters Local 856 (Multi-Unit)]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
33. 040807 [MOU - Municipal Attorneys Association]
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

34. 040808 [MOU - Municipal Executives Association]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

35. 040809 [MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

36. 040810 [MOU - Service Employees International Union, Locals 250, 535 and 790]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

37. 040811 [MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]**Mayor**

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

38. 040812 **[MOU - Union of American Physicians and Dentists (Unit 8-CC)]**
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
39. 040813 **[MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]**
Mayor
Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
40. 040814 **[MOU - Transport Workers' Union, AFL-CIO Local 200]**
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
41. 040815 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

42. 040816 [MOU - International Brotherhood of Electrical Workers, Local 6]
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
43. 040817 [MOU - San Francisco District Attorney Investigator's Association]
Mayor
Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
44. 040363 [To appropriate General Fund revenue for City Planning Department]
Mayor
Ordinance appropriating \$1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.
(Fiscal impact; Department requests this item be scheduled for consideration with File No. 040304)
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
45. 040818 [MOU - San Francisco Police Officers' Association (SFPOA)]
Mayor
Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) incorporating a new temporary modified duty policy; (b) providing guidelines for the required use of uniform allowances effective 7/1/04; (c) providing criteria for the selection of senior night-duty officers at each district station; (d) correcting a clerical error regarding the effective date of scheduled wage increases.
Supervisor Daly dissented in Committee.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

46. 040819 [Fee Adjustments - Planning Department services]
Mayor
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
47. 040820 [Fee Adjustments - Planning Department services]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.
- 6/22/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
48. 040835 [Reappropriate projected surplus from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year]
Supervisors Daly, Gonzalez
Ordinance appropriating \$1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.
(Fiscal impact.)
- 6/22/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

49. 040723 [Interim Government Funding, Fiscal Year 2004-2005]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.

(Mayor)

(Fiscal impact.)

Supervisor Daly dissented in Committee.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

50. 040833 [Housing Bonds]

Supervisors Gonzalez, Daly, Ammiano

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

(6/18/04, Supervisor Peskin dissenting in committee)

6/22/2004, CONTINUED. Supervisor Duffy, seconded by Supervisor Maxwell, moved to continue to June 29, 2004

Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Resolution be **ADOPTED**?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

51. 040686 [Transit Advertising Contract with Viacom Outdoor Inc.]

Mayor

Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of \$16,425,000 during the five-year term of the contract.

6/22/2004, CONTINUED. Continued to June 29, 2004

Question: Shall this Resolution be **ADOPTED**?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

52. 040749 [Mayor's Fund for the Homeless]
Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
53. 040756 [Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]
Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 040762 [Salary and Wage Deductions]
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin

55. 040391 [Modification of Easement Deed]
Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

56. 040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]
Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Gonzalez, Daly

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

57. 040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]
Supervisor Daly
Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

58. 040862 [Public Hearing - Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No.16782 dated May 6, 2004, approving a conditional use authorization, Case No. 2003.1047C, to install a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; Lot 055 in Assessor's Block 6635. (Appellant: Debra Green, representing Noe/Bernal Neighborhood Alliance.) (Filed 6/7/04; companion measure to Files 040863, 040864, 040865; District 9.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

59. 040863 [Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]
Motion approving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street).
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

60. 040864 [Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street).
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

61. 040865 [Findings - 3372-3378 Mission Street (aka 3350 Mission Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street), for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

62. 040704 [Public Hearing - Appeal, Preliminary Negative Declaration for the Proposed Revision of the Housing Element of the S.F. General Plan]
Hearing of persons interested in or objecting to the decision of the Planning Department by its Motion No. 16786 dated May 13, 2004 (Case No. 2000.465E), approving the preliminary negative declaration for the proposed revision of the Housing Element of the San Francisco General Plan. (Appellants: John Bardis, on behalf of the Inner Sunset Action Committee; Paige J. Swartley of Brand-Hawley Law Group, representing fifteen (15) appellants.)
Filed 5/27/04 by John Bardis on behalf of the Inner Sunset Action Committee.
Filed 6/3/04 by Paige J. Swartley of Brand-Hawley Law Group, representing fifteen (15) appellants. (companion measure to Files, 040705, 040706, 040707.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision and conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

63. 040705 [Affirm adoption of the negative declaration for 2003 update of Housing Element]
Motion affirming Planning Commission adoption of the final negative declaration for 2003 update of Housing Element.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

64. 040706 [Reversing adoption of the negative declaration for the 2003 update of Housing Element]
Motion reversing the Planning Commission adoption of the final negative declaration for the 2003 update of Housing Element.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

65. 040707 [Preparation of findings to reverse adoption of the negative declaration for the 2003 update of Housing Element]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the 2003 update of Housing Element.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

Recommendations of the Rules Committee

The following item was considered by the Rules Committee at a Regular Meeting on Wednesday, June 23, 2004, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

66. 040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, June 29, 2004, at 9:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

67. 040881 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.)

Transmittal date - June 15, 2004.

Question: Shall this Motion be APPROVED?

68. 040882 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.)

Transmittal date - June 15, 2004.

Question: Shall this Motion be APPROVED?

69. 040902 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2004.

(Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040881.)

Transmittal date - June 15, 2004.

Question: Shall this Motion be APPROVED?

70. 040900 [Appointment, Planning Commission]
Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2008.
(Clerk of the Board)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040882.)
Transmittal date - June 15, 2004.

Question: Shall this Motion be APPROVED?

Recommendation of the City Services Committee

The following item will be considered by the City Services Committee at a Rescheduled Meeting on Thursday, June 24, 2004, at 9:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

71. 040823 [Homeland Security Grants]
Mayor
Resolution amending Resolution No. 131-03 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audit Committee

The following items will be considered by the Finance and Audits Committee at a Rescheduled Meeting on Tuesday, June 29, 2004, at 9:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

72. 040871 [Appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor
Ordinance appropriating \$11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and \$1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of \$12,307,000 for the Public Health Department for fiscal year 2003-04.

Question: Shall this Ordinance be PASSED ON FIRST READING?

73. 040872 [Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]
Mayor
Ordinance appropriating \$500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating \$552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating \$3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing \$3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

Question: Shall this Resolution be ADOPTED?

74. 040873 [Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]
Mayor
Ordinance appropriating \$9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include \$3,581,080 from the Port of San Francisco's unappropriated fund balance, \$4,300,000 in contributions from Catellus Corporation and \$2,117,059 from environmental impact mitigation fees.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

75. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

76. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 77 through 88

77. 040918 [Accept - Expend State Grant - MOCJ]
Mayor
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$200,000 from the State Board of Corrections, from funds made available through the Title II Delinquency Prevention and Intervention Program (Title II), for the "Read into Your Future" literacy project.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
78. 040919 [Accessible Public Event Checklist]
Supervisor Alioto-Pier
Resolution adopting the use of the Accessible Public Event Checklist as developed by the Mayor's Office on Disability for all City sponsored public meetings and events.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
79. 040920 [Accept-Expend State Grant - MTA, DPT]
Supervisor Alioto-Pier
Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of \$324,000 from the California Department of Transportation Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various intersection locations throughout the City for Bicycle and Pedestrian Improvements.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
80. 040921 [Accept-Expend State Grant - DPT]
Supervisor Alioto-Pier
Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of \$450,000 from the California Department of Transportation for Safe Routes to School grant funding.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

81. 040922 [Accept and Expend Gift - Levi Strauss Foundation]
Supervisor Dufty
Resolution accepting and expending a gift in the amount of \$11,750 from the Levi Strauss Foundation to support programs and gardening activities at 10th Avenue Playground, Lloyd Lake and Prayer Book Cross in Golden Gate Park, Potrero Hill, Mountain Lake, Grattan School Playground, India Shoreline Natural Area, and Herz Playground and Recreation Center.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
82. 040923 [Honoring the Grand Marshals of the 2004 SF San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration]
Supervisor Gonzalez
Resolution honoring the Grand Marshals of this year's annual San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration and commending their participation in this important event.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
83. 040924 [Removing one Member Seat from the Power Plant Task Force]
Supervisor Maxwell
Resolution removing the Executive Director of Communities for a Better Environment or his/her designee from the Power Plant Task Force.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
84. 040926 [Urging the retrial of the Gwen Araujo murder and hate crime case]
Supervisors Ammiano, Dufty
Resolution urging the Alameda County District Attorney to; (1) recharge all defendants in the murder and hate crime of Gwen Araujo, and (2) offer a motion limiting any questioning or evidence concerning a "transpanic" defense, and (3) urge the Alameda County District Attorney to collaborate with the LGBT legal organizations to assist in writing any supporting legal motions for the District Attorney to prosecute this case.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
85. 040911 [Audit of New Wastewater Service Rates]
Supervisor Hall
Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the Commission, and scheduled to take effect July 1, 2004.
- 6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

86. 040917 [Rejecting the MTA Budget]
Supervisor Daly
Motion rejecting the MTA budget pursuant to Charter Section 8A.106, authorizing the Controller to continue making interim appropriations and requesting an audit of the MTA to address paratransit fare increases, service reductions, layoffs of service critical employees, and other structural budget problems.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
87. 040925 [Disapproving the Mayor's executive branch reorganization of personnel functions at Child Support Services]
Supervisor Sandoval
Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of personnel functions from Child Support Services to the Department of Human Resources.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
88. 040929 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

89. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*[Imperative Resolutions, if any]***OFF-AGENDA LEGISLATION****PROPOSED ORDINANCES**

Proposed ordinances received from June 15, 2004 through June 21, 2004, for reference by President to appropriate committee on June 29, 2004.

040860 [Settlement of Lawsuit - Sixta Santiago]

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City.
(City Attorney)

6/21/2004, RECEIVED AND ASSIGNED to Rules Committee.

040887 [Mission Bay - Park P1 Improvements]

Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 15, 2004 through June 21, 2004, for reference by President to appropriate committee on June 29, 2004.

040858 [Accept-Expend Federal Grant]

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$82,400 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plan for Fiscal Year 2006 and the FY2004 SRTP Interim Update.

(Municipal Transportation Agency)

6/15/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040859 [Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]

Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

(Planning Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040891 [Mission Bay South Access and Other Agreements]

Resolution approving one new agreement to extend the terms of terminated agreement and to exercise options for extensions of seven other terminated agreements, all containing easements and licenses for access, use, maintenance and operation of infrastructure improvements in Mission Bay South, making such actions retroactive to the date of their respective terminations and authorizing other official actions.

(Public Works Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040940 [Petitions and Communications]

Petitions and Communications received from June 15, 2004 through June 21, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 29, 2004.

From concerned citizens, concerning the lack of notification of the construction being done on the Richardson Triangle. Copy: Supervisor Alioto-Pier, 4 letters (1)

From Planning Department, regarding the proposal to create a new Special Use District, 'The Third Street and Oakdale Avenue Affordable Housing Special Use District', located at 4800 3rd Street. File Nos. 040718, 040719 (2)

From San Francisco Unified School District, regarding the recognition of the APIFRN Day celebration. Copy: Each Supervisor (3)

From San Francisco Redevelopment Agency, regarding the authorization of an Agency Agreement with the Treasure Island Development Authority, a public body, corporate and politic, for the provision of Agency staff services to the Treasure Island Development Authority, for a term not to exceed one year. Copy: Supervisors Sandoval, Daly, McGoldrick, Peskin and Gonzalez (4)

From Department of Parking and Traffic, reporting on the recent request of installing additional STOP signs at the T-intersection of Cora Street and Leland Avenue. (Reference No. 20040511-005) Copy: Supervisor Maxwell (5)

From Department of Public Health, regarding implementation of the Equal Access to City Services Ordinance. (Reference No. 20040427-007) Copy: Supervisors Ma and Dufty (6)

From Department of Parking and Traffic, regarding the update on the construction of the traffic and pedestrian safety improvements at the intersection of Bayshore Boulevard and Blanken Avenue. (Reference No. 20040224-002) Copy: Supervisor Maxwell (7)

From Martin T. Lyon, concerning various traffic problems in San Francisco. Copy: Each Supervisor, 2 letters (8)

From San Francisco Public Utilities Commission, submitting PUC Resolution adopting and imposing schedules of sewer service charges to be paid by users effective July 1, 2004 and thereafter. Copy: Each Supervisor (9)

From Department of Public Health, submitting a list of all sole source contracts in effect during fiscal year 2002-2003. (10)

From Ethics Commission, regarding the regulations to implement streamlined enforcement program for committees that fail to file campaign finance reports. (11)

From Department of Elections, reporting that the departments' proposed FY2004-05 budget does not require layoffs in public contact positions or of bilingual employees. (12)

From concerned citizens, regarding the certification of the Transbay Terminal EIR. Copy: Each Supervisor, 3 letters (13)

From Ethics Commission, regarding the regulation to implement Proposition E: prohibition on political activities – definitions. (14)

From Ethics Commission, regarding reduction to the Budget of the Fair Practices Commission. (15)

From San Francisco Police Department, regarding the staffing levels at all the district stations of the

SFPD. (Reference No. 20040413-001) (16)

From BART, informing the members of the Board of Supervisors that the Director's seat in District 7 and 9 of the SF BART District will be up for election for a full four-year term in the General Election of November 2, 2004. (17)

From Christopher Copeland, urging members of the Board of Supervisors to restore \$2 million to the Department of Aging and Adult Services budget. (18)

From City Hub Neighborhood Alliance, submitting an article regarding the denial of claims filed by S.F. residents who say a February 25 rainstorm damaged their homes and businesses. (19)

From concerned citizens, regarding the Final EIR for the Golden Gate Park Concourse Authority Projects. File No. 031481, Copy: Each Supervisor (20)

From Burr Wolff, regarding the application for an appeal submitted by Gap Inc. (21)

From Jose Lucana, regarding the Board of Supervisors approval for contracting out personal services. File No. 040594, Copy: Each Supervisor (22)

From Adult Probation Department, reporting that the department proposed FY 2004-2005 budget does not require layoffs of employees in public contact position. Copy: Supervisors Ma, Duffy (23)

From Iryna Kwasny, urging the Board of Supervisors to adopt a resolution on Corporate Constitutional Rights. (24)

From concerned citizens, regarding the Mayor's determination of a fiscal emergency that jail health services can be practically performed by a private for Fiscal Year 2004-05. File No. 040782, 4 letters, Copy: Each Supervisors (25)

From Patricia Costopoulos, submitting support for the Neighborhood Emergency Response Team training program. (26)

From concerned citizens, concerning the hearing to consider the Department of Public Health's budget eliminating or reducing medical services. File No. 040681, Copy: Each Supervisor (27)

From Department of Building Inspection, submitting a letter sent to SPUR and AIA regarding the "Planning for the City's Future" report. (28)

From City Hub Neighborhood Alliance, submitting support for the new web page showing photos of high-risk sex offenders and the neighborhoods they live in. Copy: Each Supervisor (29)

From Tower Realty Management Corporation, requesting the Mayor's office to relocate "10-9" (Messenger Appreciation Day) celebration to an alternate location. (30)

From San Francisco Association of Realtors, concerning the down payment assistance portion of the housing bond measure. Copy: Each Supervisor (31)

From concerned citizens, urging the Board of Supervisors to reconsider the Department of Children, Youth and Family recommendation of funding reduction to the South of Market Teen and Family Center. Copy: Each Supervisor, 2 letters (32)

From Office of the Treasurer and Tax Collection and Police Department, regarding the investigation of the Glass Cat as known as Glas Kat located at 520 4th Street. Copy: Supervisors Ma, Duffy, 2 letters (33)

From the Department of Human Services, reporting that the proposed budget for DHS will require no

layoffs of employees in public contact positions and bilingual employees. Copy: Supervisors Ma, Dufty (34)

From Office of the City Attorney, regarding the lease of property of the Empress Hotel located at 144 Eddy Street, San Francisco. File No. 040680 (35)

From concerned citizens, expressing opposition to the Charter amendment that would change the composition and character of the Rent Board. Copy: Each Supervisor, File No. 040648, 2 letters (36)

From San Francisco International Airport, San Francisco Law Library, Human Rights Commission, Department of Public Works, Civil Service Commission, reporting on the sole source contracts for the Fiscal Year 2002-2003. (37)

From US Army of Corps of Engineers, regarding a permit application to fill approximately 0.91 acres of jurisdictional wetlands to facilitate the construction of a residential subdivision and commercial space. (38)

From Tempi Priestly, submitting support for Supervisor Tom Ammiano's legislation to fund the San Francisco International Arts Festival. (39)

From D. Owen Fair, concerning the Positive Resource Center's possible budget cut. (40)

From Thomas Poon, regarding his unpleasant experience with officers of the San Francisco Department of Parking and Traffic. (41)

From concerned citizens, urging the Board of Supervisors to preserve funding for arts institutions in San Francisco. File No. 040776, Copy: Supervisors Sandoval, Daly, McGoldrick, Peskin, Gonzalez, 11 letters (42)

From Immigrant Rights Commission, submitting resolution opposing budget cuts to the district health centers that predominately serve immigrant populations. Copy: Each Supervisor, File No. 040681 (43)

From Ethics Commission, submitting the First Quarter Summary of Earnings and Expenses of Lobbyists registered with the City and press release regarding the same. (44)

From Port of San Francisco, reporting on environmental, health and safety issues. File No. 040535, Copy: Each Supervisor (45)

From Peter Warfield, expressing his appreciation to the Board of Supervisors for passing the Library Citizens Advisory Committee legislation. File No. 020585 (46)

From Mary Chipman, regarding animal testing at UCSF. (47)

From Martin Lyon, urging the Board of Supervisors to rename the San Francisco Department of Recreation and Park. Copy: Each Supervisor (48)

ADJOURNMENT





